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Blake, William. The book of Urizen. Lambeth, Printed by W. Blake, 1794 (i.e. 1815?) Rosenwald Catalog no. 1807.

*Blake apparently intended the* Book of Urizen *to be the first of a series. Mr. Rosenwald's copy is one of those in which Blake removed the word "first" from the title. Of the seven known copies of the* Book of Urizen, *six seem to have been completed from 1794 to 1795. This seventh copy is printed on paper watermarked "Ruse & Turners 1815."*

# Lessing J. Rosenwald
# "A Splendidly Generous Man"

### by William Matheson

In a July 1977 account of recent acquisitions in these pages I observed that "reports of Lessing J. Rosenwald's gifts have filled the pages of [this journal] from the first such account in 1945 to the present" but "the man . . . has been less fully documented."[1] This followed from Lessing Rosenwald's clear desire to play down his personal involvement and to emphasize his books as a means of making them known to and used by as many people as possible. His death on June 24, 1979, at the age of eighty-eight, makes this an appropriate occasion to look both at the man and what may well be the greatest of his accomplishments, the magnificent collections he formed. In 1945 he opened his account of his first gift to the Library of Congress by saying, "In a sense a collection is a mirror of its collector."[2] In writing about another gift in 1965 he entitled his article, "The Mirror of the Collector."[3] His first curator, Elizabeth Mongan, characterized his collecting philosophy as a "search . . . for quality and human significance rather than . . . an accumulation of innumerable items."[4] In these large senses the man and the collection are inseparable and I hope in the remarks that follow to shed light on both.

When he began to collect in the late 1920s, Lessing Rosenwald was in his mid-thirties, managing the Philadelphia branch of Sears, Roebuck, the company his father, Julius Rosenwald, had made into both an American institution and a powerful force in retail marketing. He started out as a print collector, buying his first examples in 1926, branched out into rare books in 1928, and by 1930 was well on his way toward forming collections of international significance in both fields. In 1939. at the age of forty-eight, he retired from Sears, Roebuck as Chairman of the Board to devote himself to philanthropic work and the further development of his collections. In 1943 he gave his print collection as it then stood to the National Gallery of Art and his book collection to the Library of Congress. Although the two collections became the property of the respective institutions at that time, during his lifetime they were housed in his private gallery in Jenkintown, Pennsylvania, the Alverthorpe Gallery, completed in 1939. At the time of the 1943 gift the book collection contained approximately four hundred volumes, slightly less than half of them dating from the fifteenth century. Through gifts over the intervening years, the book collection has swelled in

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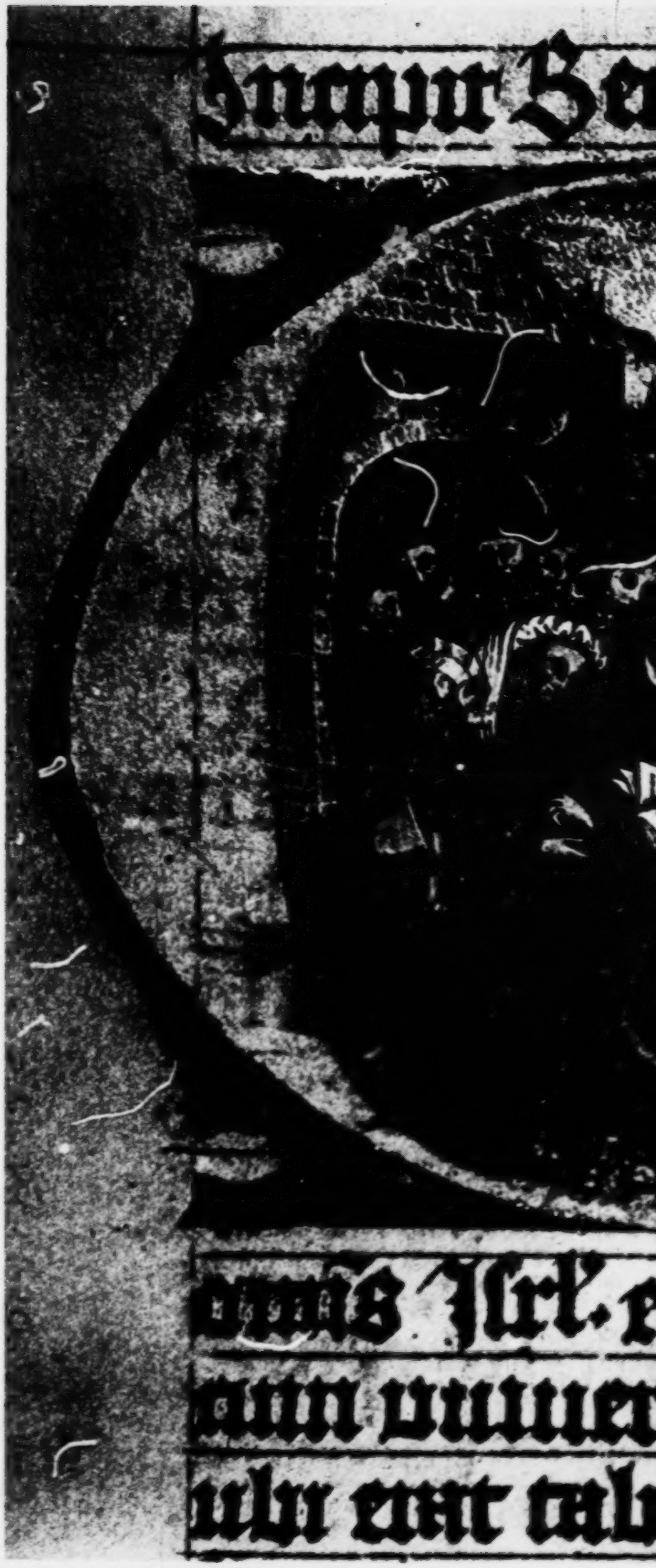
William Matheson is chief of the Rare Book and Special Collections Division. The quotation in the title of this article is taken from the heading of a tribute to Lessing Rosenwald in the *Philadelphia Inquirer*, June 27, 1979.

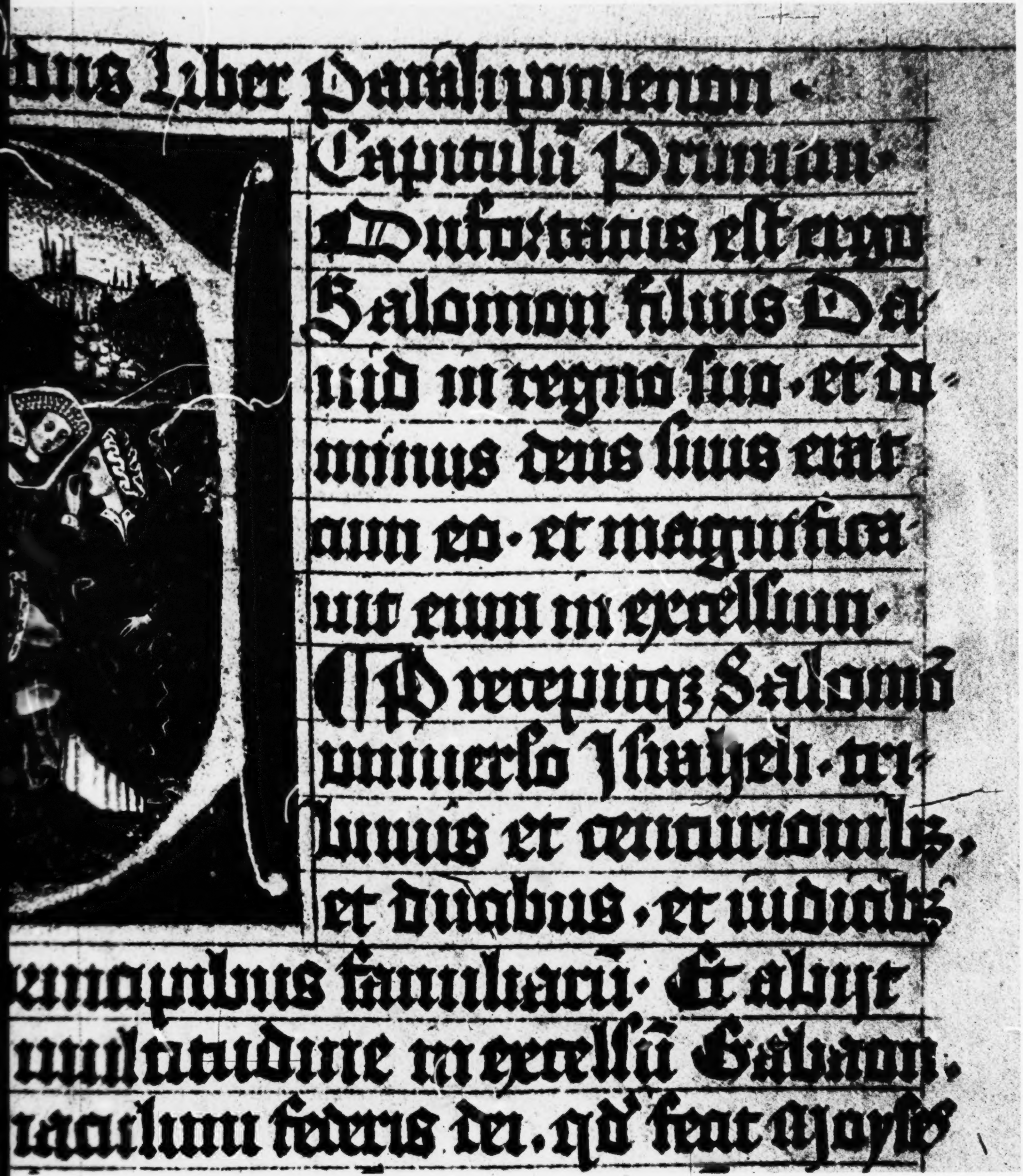
most important were described in the May 1947 *Quarterly Journal.* In his foreword to this catalog A. S. W. Rosenbach observed that "no other library in this country, or abroad, has received during this period a collection comparable to it."[16]

In 1952 the New York rare book dealer H. P. Kraus phoned Rosenwald to say that he had a book that cried out to be in the Rosenwald Collection. The collector visited the firm's showroom. When Kraus unveiled the volume, lighted to show it to best advantage, against a luxurious backdrop, Rosenwald reportedly exclaimed, "Hans, you have been taking lessons from Duveen." S. N. Behrman's biography of the flamboyant art dealer, Joseph Duveen, had appeared earlier in the same year. The book Kraus offered Rosenwald was a magnificent two-volume manuscript Bible, generally known as the Giant Bible of Mainz. Rosenwald many times told me the story of Kraus reiterating that the Bible had to be in the Library of Congress and telling him that he would accept any reasonable price, leaving the figure up to him. Clearly he offered a price commensurate with the importance of the manuscript, which in many people's eyes is the greatest single book in the Rosenwald Collection. It went on display at the Library of Congress on April 4, 1952, the 500th anniversary of the day the scribe first set his pen to the first vellum page, and one of the two volumes has been on permanent display ever since across from the Library's copy of the Gutenberg Bible, to which it has important links. The manuscript was written in Mainz at the same time Gutenberg was printing the Bible associated with his name. The decorated borders contain animals, birds, and other motifs that have a direct relationship to the Master of the Playing Cards, whose name has been linked with Gutenberg's. Though the manuscript is a deluxe one, which took the scribe more than fifteen months to write, as we know from dates at the end of each book of the Bible, the glorious decoration reproduced here appears only on five pages at the

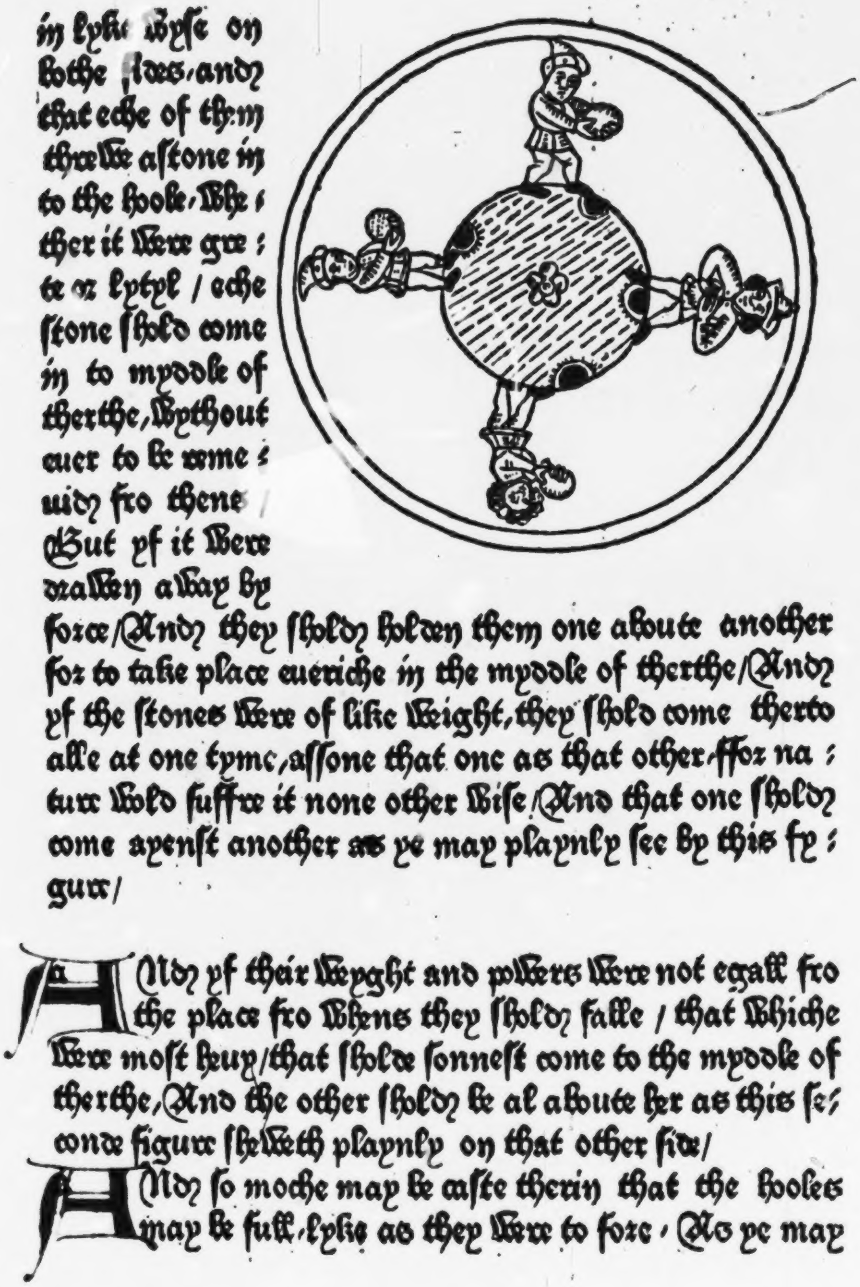


Bible. Manuscripts. Latin. Biblia latina. April 4, 1452–July 9, 1453. Rosenwald catalog no. 5.

*From the first volume of the Giant Bible of Mainz, Chronicles II (Second Book of Paralipomenon), showing King Ahasuerus and the Queen of Sheba in the miniature.*



dus Liber Paralipomenon ·
Capitulū Primum ·
onfortatus est ergo
Salomon filius Da
uid in regno suo · et do
minus deus suus erat
cum eo · et magnifica
uit eum in excelsum ·
¶ Precepitq; Salomō
uniuerso Israheli · tri
bunis et centurionibꝫ ·
et ducibus · et iudicibꝫ
rincipibus familiarū · Et abijt
ultitudine in excelsū Gabaon ·
naculum federis dei · qđ fecit Moyses



in lyke wyſe on bothe ſides,and that eche of them threwe a ſtone in to the hole,whether it were grete or lytyl / eche ſtone ſhold come in to myddle of therthe,wythout euer to be remeuid fro thens / But yf it were drawen away by force/And they ſhold holden them one aboute another for to take place eueriche in the myddle of therthe/And yf the ſtones were of like weight,they ſhold come therto alle at one tyme,aſſone that one as that other.ffor nature wold ſuffre it none other wiſe/And that one ſhold come ayenſt another as ye may playnly ſee by this fygure/

And yf their weyght and powers were not egall fro the place fro whens they ſhold falle / that whiche were moſt heuy/that ſholde ſonneſt come to the myddle of therthe,And the other ſhold be al aboute her as this ſeconde figure ſheweth playnly on that other ſide/

And ſo moche may be caſte therin that the hooles may be full,lyke as they were to fore. So ye may

Image du monde. Image du monde. English [Westminister, William Caxton, 1481] Rosenwald catalog no. 563.

*The books of William Caxton, England's first printer, are notoriously difficult to obtain complete and in fine condition. One of the jewels of the Rosenwald Collection is a volume containing four distinct, complete books printed by Caxton, preserved in a binding by the English bookbinder John Reynes, dating from the early sixteenth century. The illustration shown here is from the first book in the volume, an essential one for the Rosenwald Collection, the first illustrated book printed in England, the* Mirrour of the World (1481).

five singled out for mention in his *Recollections*: Lionel Robinson, William H. Schab, William S. Kundig, Pierre Berès, and Georges Heilbrun. Though he found few real bargains, there were relative bargains aplenty. This followed from the years in which he was most active, which look like paradise to collectors of today, and from the fact that he had an uncommonly good eye. H. P. Kraus, in his recently published autobiography, *A Rare Book Saga*, comments as follows on Rosenwald's perceptiveness: "When incunabula were relatively unpopular in America, he was buying 15th century works . . . . He bought Caxtons during the depression years, when prices were extremely low, and assembled one of the largest private collections of works by this famous printer. He bought when other wealthy bibliophiles had stopped."[31] Fred Ferretti in a 1973 *Art News* article says, "It is generally agreed that Rosenwald has guessed and bought right most of the time."[32] Ferretti's interest is in the prints and he comments on the perceptive purchase of Rembrandt, Whistler, Daumier and Blake, to which he might well have

*Lessing J. Rosenwald in the Book Room at the Alverthorpe Gallery with a group of students from the Philadelphia College of Art on May 12, 1978. Courtesy of Kathleeen Hunt, Alverthorpe Gallery.*

added Nanteuil, Toulouse-Lautrec, and the fifteenth-century separate woodcut prints in the Aufhäuser Collection.

Though Rosenwald seems to have sprung forth fully formed as a collector, I am quite sure that he read widely in the mid-1920s to prepare himself for the explosion in 1929. Such a course would have been consistent with his frequently expressed view of the collector's obligation to learn and know as much as possible. He talked to artists, trained himself to see through constantly looking at fine things, despite the handicap of being virtually blind in one eye as a result of a childhood accident, and sought the advice of specialists, four of whom he gives full credit to in his *Recollections:* Rosenbach; Paul Sachs, codirector of the Fogg Museum at Harvard; Elizabeth Mongan, his first curator; and Frederick R. Goff, chief of the Rare Book Division of the Library of Congress from 1945 to 1972. And perhaps most important of all, throughout the years he had the support and wise counsel of his wife, Edith, to whom his *Recollections* are dedicated and to whom he gives the following tribute in the preface: "whatever I may have accomplished is due to her strong impetus, her understanding, and loving guidance."

I know that Lessing Rosenwald's collections brought him real joy. He loved them and another great pleasure which I have not previously mentioned: the people he met through his books and prints. Thanks to the BBC special on the Library of Congress shown first on American public television in April 1979, millions of people now know about the Rosenwald Collection. The shots of the collector showing his books to students from the Philadelphia College of Art were not staged. They were part of an actual presentation, one repeated with different groups and different emphases many times a year. It is hard to think of another place where students and visitors could handle fifteenth-century block books, Caxtons, and Medieval and Renaissance manuscripts, to take three examples from the many such opportunities the collection offers. In the largest sense Lessing Rosenwald's life was devoted to education—to learning from collecting and teaching through sharing his collection with others. As I see it, this to him was what book collecting is all about.

sisted of copies of various *states*, and that this copy, in its original condition with the errors uncorrected, represented the first state. The separation and designation of other copies into the succeeding states would have to come later as I learned more about the irregular pattern of correction employed by Richard Barrett, the printer.

It gave me some satisfaction to realize that my perseverance had paid off in this manner, and that I was able to make this slight contribution to the bibliography of a major English poet. But was the collecting of copies of the first edition of Swinburne's masterpiece to cease at this point? Hardly.

Desire and determination and the pleasant excitement of acquisition and the fascination of ownership had formed into something akin to habit, and there was the urge to go on and acquire all copies possible just to see what characteristics they possessed. The more copies acquired the better the base on which to form a new bibliographical description of the volume, and besides there was the chance some new feature just might turn up.

So the search went on, no less strenuously than the hunt for the wild boar of Calydon.

I sent circular want letters to rare book dealers here and abroad, and sought and scanned auction catalogs. Gradually word got around of my interest in the book, but I never revealed the discovery of the corrected errors and the establishment of the fact that more than one state existed in the first edition.

Copy no. 10 came in on June 17, 1945; eight days later, on June 25, copy no. 11 was added; on September 7, 1945, I received copy no. 12, and so on until December 7, 1949, on which day I acquired copy no. 25 of the book.

It was time to take stock. It was incredible that I had collected one-fourth of the entire edition of this rare book over a hundred years after its publication.

Never one to believe anything just because it was in print, I began to suspect and to wonder about the often-made statement that the original edition consisted of 100 copies. All the important authorities called for 100 copies, but search as I did, I could find no proven evidence to support the statement of this limitation.

Some kind of action was definitely indicated. This took the form of an inquiry sent out to 500 libraries, public, private, university, college, institutional, and any other place which appeared to have a collection of books, here and in England, asking whether they had copies of the first edition of *Atalanta in Calydon*. When the results of this census were in, I found that, including those in my collection, there were 164 recorded copies scattered on both sides of the Atlantic. That definitely squashed the notion about the 100 copies limitation, but I kept this fact to myself and continued the hunt. What better way, I concluded, to explode the myth of the 100 copies limitation visibly and conclusively than to be able to exhibit in one place my own 100 copies of the book. It was an extravagant idea, a foolhardy fantasy impossible to accomplish, but an inner voice dictated a continuation of the search, and I kept on pelting the dealers with requests for copies.

This went on for more than the next twenty-six years. On March 19, 1976, I put on the shelf copy no. 100, and breathed an immense sigh of relief. This closed off a portion of the unusual project in my book collecting which I had hardly believed could reach this far.

I now vowed not to buy any more copies. I had reached the 100 mark of the legendary limitation, and that, I thought, was sufficient to refute the statement often made by most of the expert bibliographers and authoritative bookmen, and I could see no reason to purchase any more copies, even if they were offered to me. The race had been hard and strenuous. I had done what I set out to do, and now I wanted to rest and relax before moving on to the next part of the project.

Some friends who knew I had reached 100 suggested (as did Franklin Gilliam when I visited his San Francisco emporium in June 1976) that it was really necessary and desirable to have 101 copies, and that only then could I really show that I had blasted the limitation of 100, so long believed. I stood my ground, said that I should not buy any more copies, that I thought I had enough, and offhand declared that if I ever acquired another copy, it would have to be as a gift.

In early 1977, Nicholas B. Scheetz, a young scholar on the library staff of Georgetown University and an erudite book collector in his own right, heard me on several occasions reiterate my position about acquiring any more copies of the book: that I should not buy any, and if there was to be a copy no. 101, it would have to be a gift.

For some time Scheetz laid low and kept his counsel, and then on April 23, 1977, he surprised and shocked me by showing up with a copy of the first edition of *Atalanta in Calydon* in a Zaehnsdorf binding which he ceremoniously presented to me before I could recover from my stunned state. This was indeed a beau geste, and certainly one calculated to seal a friendship for at least 101 years. This copy was formerly owned by Charles Plumptre Johnson (1853-1938), Physician-Extraordinary to Queen Victoria, yachtsman, a bibliographer of note, and author of several volumes on collecting first editions.

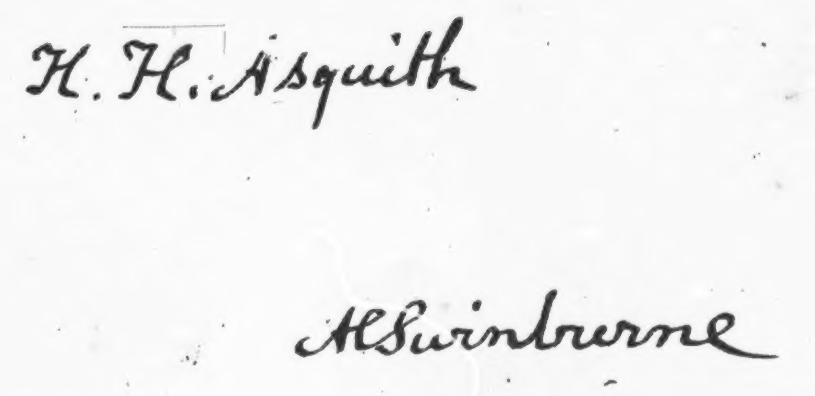
A survey of this collection of 101 copies reveals the following facts:

1. Sources: From England came fifty-two copies; forty-six were acquired in the United States, one came from Ireland, one from Canada, and one from Montevideo, Uruguay.

2. Bindings: seventy-eight are in the original binding; twenty-three have been rebound. Prominent among the rebinders are: Aurifex, Zaehnsdorf, Riviere & Son, and Sangorski & Sutcliffe.

3. Presentation copies, ten with inscriptions by Swinburne: Charles Augustus Howell, Major-General the Hon. Thomas Ashburnham, H.H. Asquith, Frederick Sandys, Catherine Mary Landor, Frederick Locker (-Lampson), Mrs. Bryan Waller Procter, Mary Charlotte Julia Gordon, as a wedding present when she married Colonel R. W. Disney Leith, and two with unnamed recipients. There is also a presentation copy from Swinburne's father, Admiral Charles Henry Swinburne, with an inscription signed to his friend Edmund Peel.

4. Some of the other noteworthy former owners: Maurice Baring (three copies), Katherine Cromer, Edward FitzGerald, R. M. Tyrwhitt, Sir Henry Maine, George Cabot Lodge, Charles Whibley, Dante Gabriel Rossetti, who designed the circular decorations used on the front of the binding, Charles Dickens, Henrietta Pellew, Countess of Orford, G. S. Venables, Roderick Terry, Frederick Augustus Maxse, William K. Bixby, Arthur B. Spingarn,



H. H. Asquith

A C Swinburne

*Swinburne's inscription in a copy of the first edition of* Atalanta in Calydon *to his friend Herbert Henry Asquith, English statesman who became prime minister in 1908. Both were Balliol men at Oxford, though they attended at different times. From the private collection of John S. Mayfield.*

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# The Quarterly Journal
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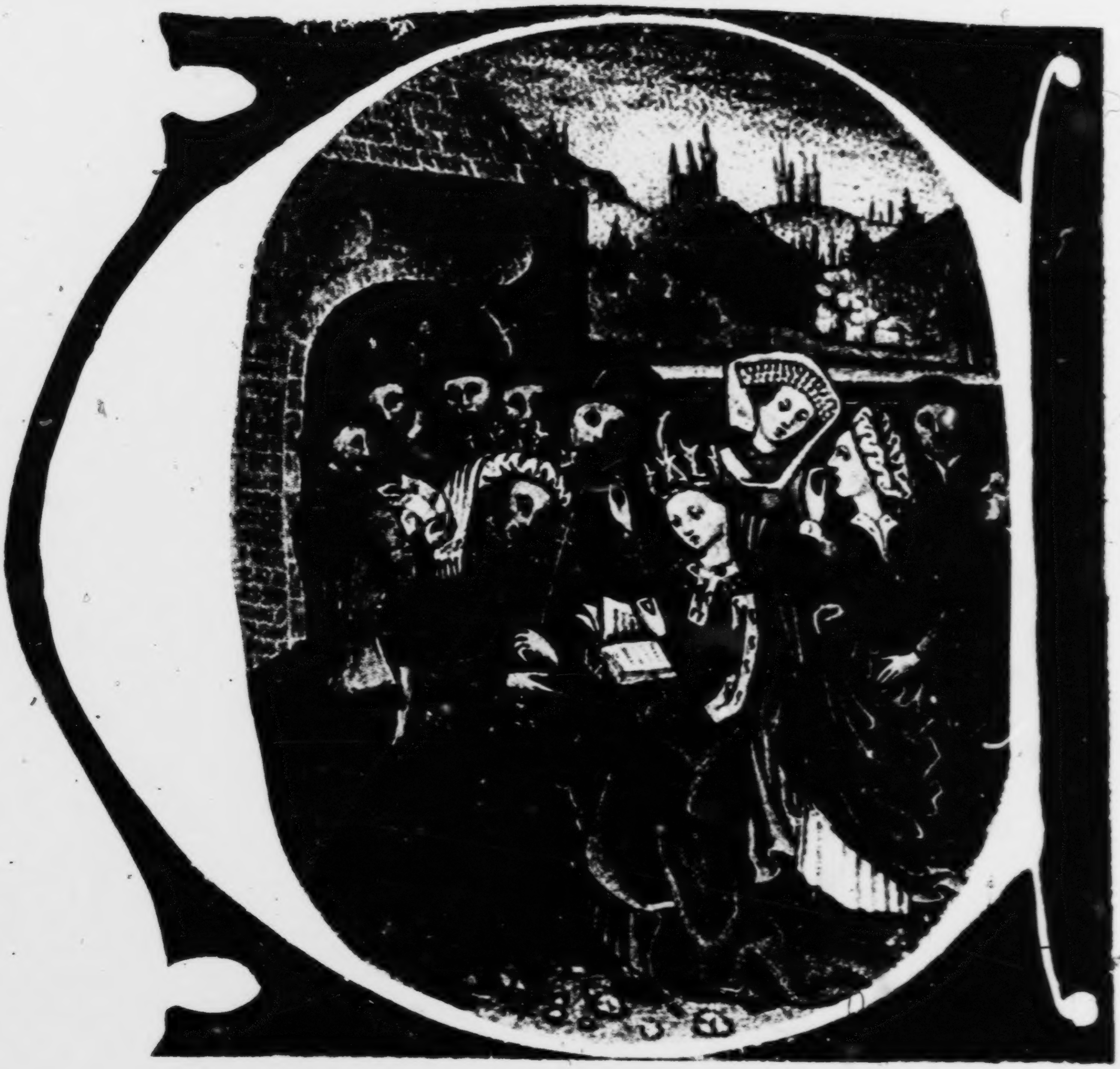


*Lessing J. Rosenwald's leather book label.*

size to the more than twenty-six hundred separate editions, in a substantially larger number of physical volumes, described in a catalog of the collection published by the Library in 1978.[5] Slightly less than six hundred of these volumes are incunabula. Focusing on the Western European and American illustrated book, the collection has representative examples from the fifteenth century to the present and a small but choice group of twelfth- to sixteenth-century manuscripts.

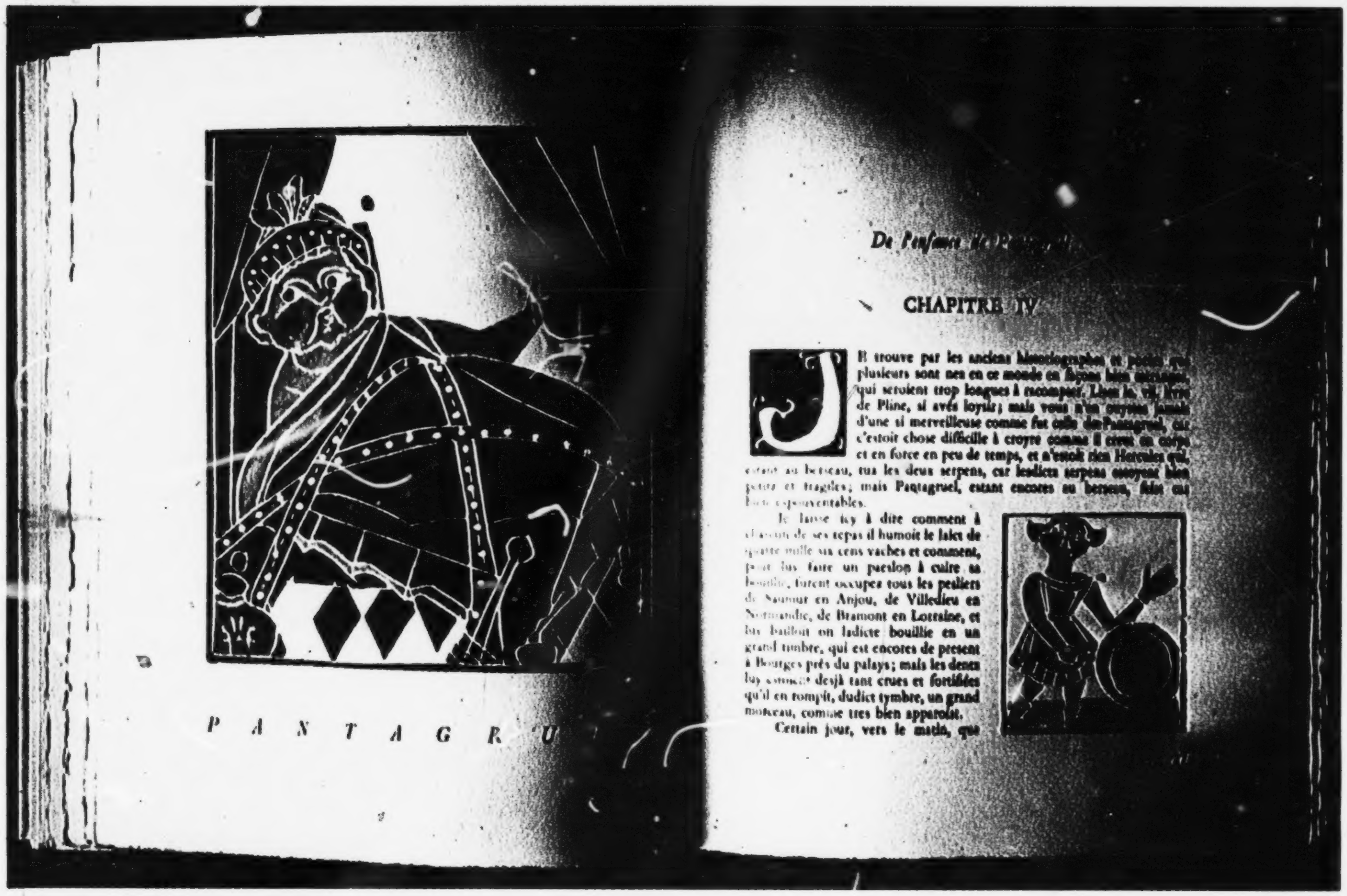
These are the bare facts which I would like to flesh out first by describing the most active years of the collection's growth and then by relating Rosenwald to book collectors of the past and present. He traced the beginning of his collecting passion to the purchase of a print he saw in the window of Sessler's Book Shop in Philadelphia in 1926, an etching by the nineteenth-century English artist D. Y. Cameron, entitled "The Royal Scottish Academy." In describing the incident in a *New Yorker* interview he reported that he took the print away and then asked himself, "Why the hell did I buy this thing?"[6] Elsewhere he observed that he doubted that he would buy the print today. In making a good story he undoubtedly underplayed Cameron's importance in the grand pattern of a collection such as his. There are two copies of the Cameron etching in the print collection today in varying states. The 1926 first purchase was supplemented by an earlier state in 1930, as an instance of the collector's improving his collection by adding variant states and better impressions, often by "trading up." Today Cameron is represented in the Rosenwald Collection at the National Galley of Art by 270 prints. He was also the designer of the collection's first bookplate, a large metal engraving containing both Rosenwald's name and his wife's, later superseded by a small leather book label containing only his initials.

The formation of the print collection is a fascinating story in itself, but I will concentrate on the books and mention the prints only when they have a direct bearing on a point I wish to make about the book collection. For about a year at the very beginning of his collecting career Lessing Rosenwald was exclusively a print collector, at a very favorable time to buy prints. The European auction houses were holding frequent, enormous sales of important collections being broken up in the post-World War I years. The aspiring print collector proposed to Charles Sessler's son, Leonard, that he go to Europe to attend the sales. Rosenwald would have the first pick of the items purchased at a 10 percent commission. If the commissions did not equal the boat fare, he would make up the difference. Though the prices were high—or seemed so then—the quality was even higher. He bought much of what Sessler brought back, obtaining certain extremely rare prints unlikely ever to come on the market again. He later characterized this as a period when "you could stick a pin in almost any of those catalogs and find a spectacular print."[7]

During the same period in the late 1920s he began seriously to buy from the flamboyant rare book dealer A. S. W. Rosenbach—"Rosie," "Doc," "the Doc," or "the Doctor" as he was variously styled. At the outset Rosenwald bought prints from the Rosenbachs, to a greater extent than is indicated by Edwin Wolf 2nd and John Fleming in their biography of A. S. W. Rosenbach, a vital source for information on the formation of the Rosenwald Collection and on book collecting in the first half of this century.[8] Wolf and Fleming give the Doctor credit for launching Rosenwald as a book collector by convincing him that he should make his collection comprehensive through including in his scope not only woodcut prints but also the masterpieces of the woodcut art in the form of book illustration. They indicate that Rosenbach encouraged Rosenwald in this new direction because he knew what his strengths were and had "sense enough . . . not to push things he knew little about."[9] Rosenwald was not sure that his decision to expand his scope happened quite that way. Writing in 1945 he commented on the collector's need to rationalize what he does. Observing that "rationality is to collecting what conscience is to life," he goes on to remark that the collector "knows . . . for any number of reasons his scope must be kept within reasonable bounds, and he also knows that his acquisitive propensities will not recognize limits and boundaries."[10] Whatever the activating force, Rosenwald turned with equal energy and enthusiasm to collecting books. The suddenness of

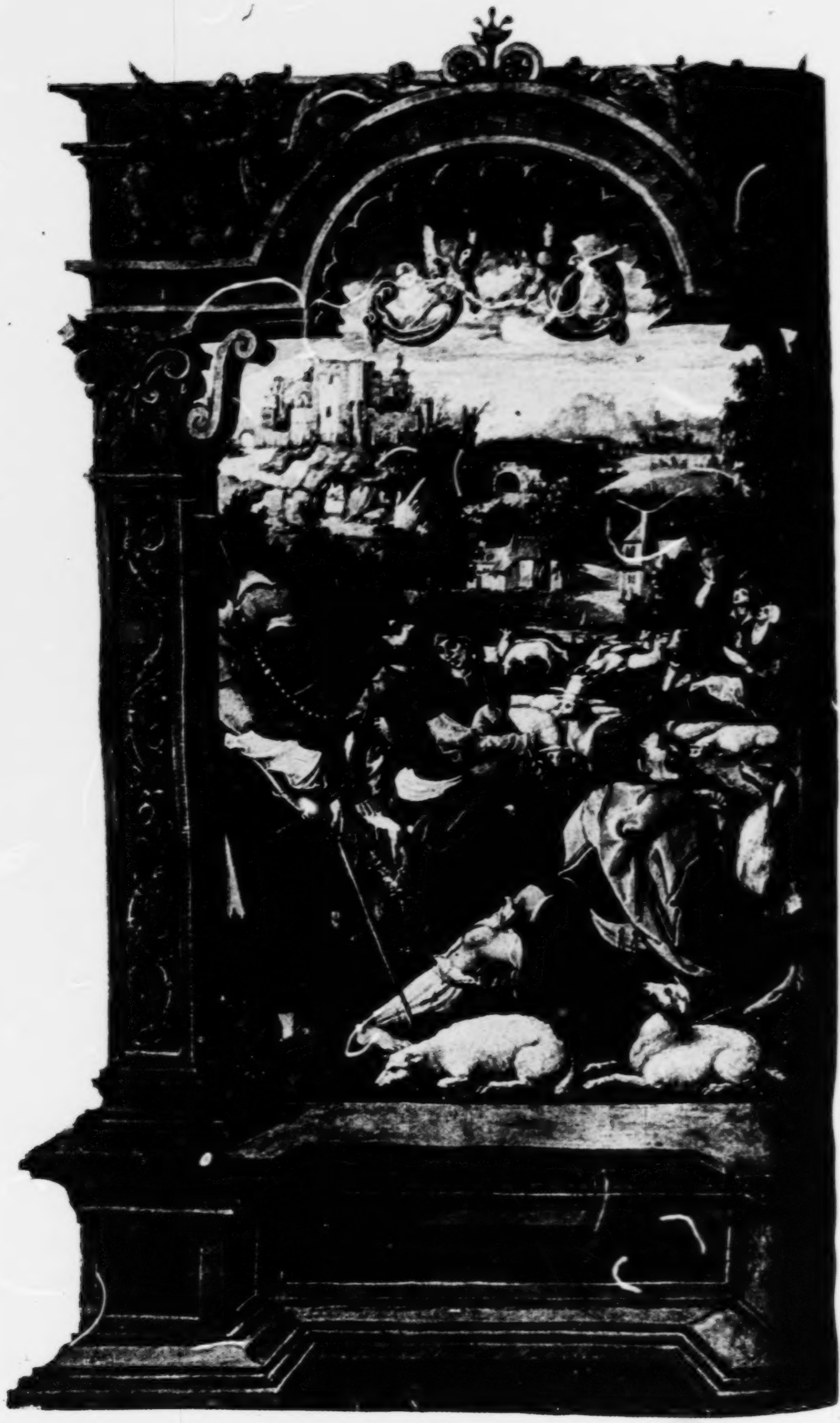
Rabelais, François. Les horribles et espovantables faicts et prouesses du très renommé Pantagruel, roy des Dipsodes, fils du grand géant Gargantua . . . Orné de bois en couleurs dessinés et gravés par André Derain. Paris, A. Skira [1943] Rosenwald catalog no. 2188.

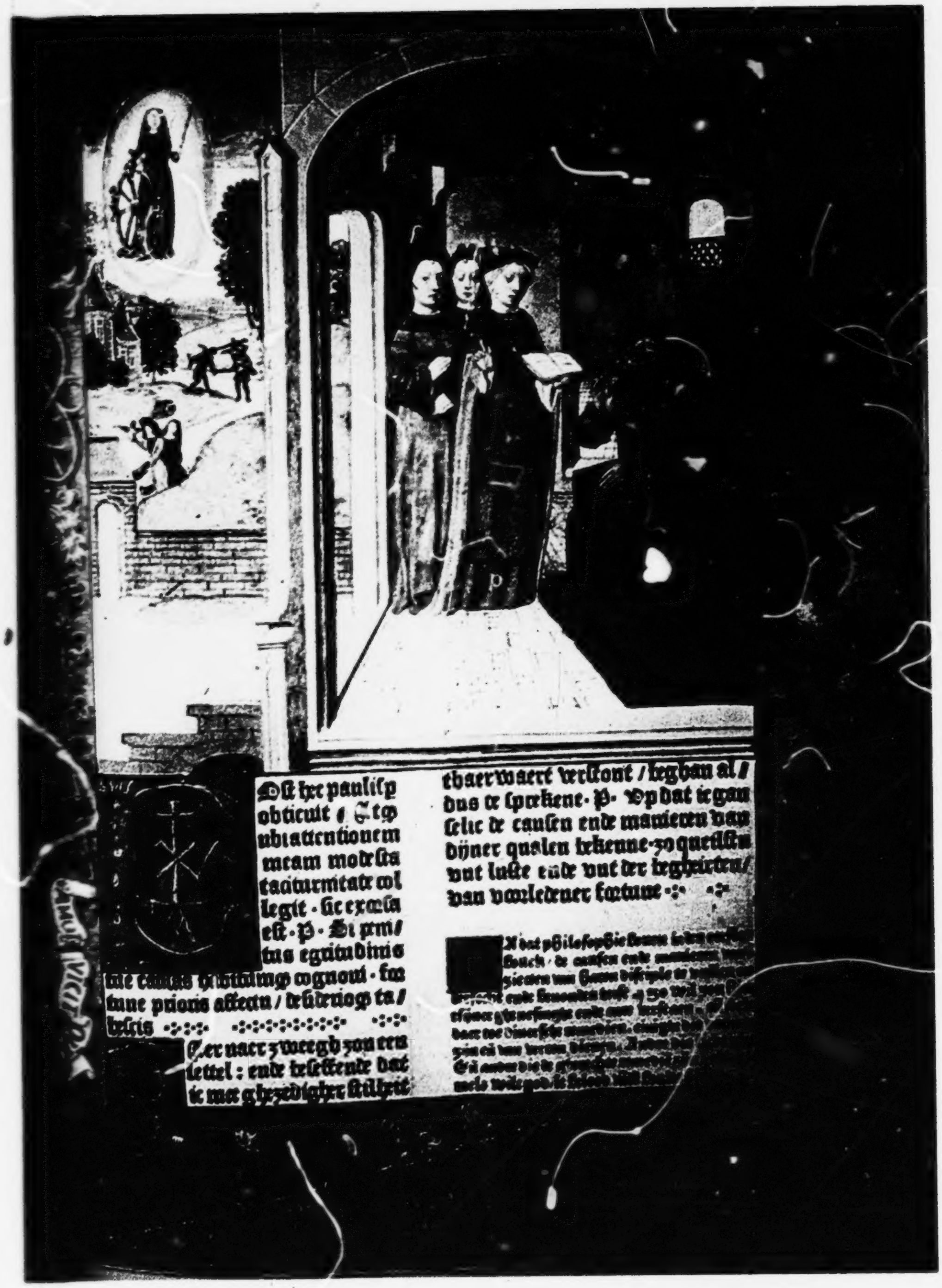
*Although André Derain illustrated many books, the* Pantagruel *woodcuts are his only book illustrations in color. The cuts were printed in an unusual manner: instead of cutting a separate block for each color, Derain cut white lines to separate the color areas. The blocks were then inked in several colors and printed on dampened paper. The process was so exacting that it is reported to have taken two years to print the edition of 275 copies. As in the case of his eighteenth-century French books, Mr. Rosenwald's livres des peintres are frequently special copies. His copy of* Pantagruel *is one of thirty-five with an extra set of the woodcuts on Madagascar paper.*



Catholic Church. Liturgy and ritual. Hours. Horae Beatae Mariae ad usum Romanum. [France] 1524. Rosenwald catalog no. 14.

*On the basis of the quality of the script, the writing in this fine Book of Hours has been attributed to Geoffroy Tory, probably incorrectly we now feel. The manuscript contains sixteen full-page miniatures of biblical scenes and twenty-six small miniatures of the evangelists and saints, brilliantly colored and beautifully detailed. This was one of Mr. Rosenwald's favorite books, which he frequently brought out to show visitors.*





Poſt hec pauliſp
obticuit / Ego
ubi attentionem
meam modeſta
taciturnitate col
legit · ſic exorſa
eſt · P · Si penit/
tus egritudinis
tue cauſas habitumq cognovi · for
tune prioris affectu / deſiderioq ta/
beſcis

Her naer zweegh zou een
lettel : ende beſeffende dat
ic met gheſedigher ſtillheit
thaer waert verſont / beghan al/
dus te ſprekene · P · Op dat ic gan
ſelic de cauſen ende manieren van
dijner qualen bekenne · zo quelſtu
uut luſte ende uut der begheirten/
van voerledener fortune

Boethius. De consolatione philosophiae. Dutch and Latin. Ghent, Arend de Keysere, 3 May 1485. Rosenwald catalog no. 535.

*To some early purchasers, printed books were a poor substitute for manuscripts. Printers helped ease the transition by basing their types on familiar subjects and by carrying over manuscript practices into the production of printed books. The printer of this 1485 edition of Boethius's best-seller, "The Consolation of Philosophy," intended the book to be illustrated by hand. In the Rosenwald copy manuscript initials and large miniatures have been painted in blank spaces left by the printer for the purpose. The identity of the talented Flemish artist who painted the illustrations is not known.*

## NOTES

1. William Matheson, "Microcosm of the Library: The Rare Book and Special Collections Division," *Quarterly Journal of the Library of Congress* 34, no. 3 (July 1977): 242.

2. Lessing J. Rosenwald, "The Formation of the Rosenwald Collection," *Library of Congress Quarterly Journal of Current Acquisitions* 3, no. 1 (October 1945): 53

3. Lessing J. Rosenwald, "The Mirror of the Collector," *Quarterly Journal of the Library of Congress* 22, no. 3 (July 1965): 160–69.

4. Elizabeth Mongan, "Rosenwald Prints [for] the Nation," *Art News* 42, no. 5 (April 15–30, 1943): 10.

5. Library of Congress, *The Lessing J. Rosenwald Collection: A Catalog of the Gifts of Lessing J. Rosenwald to the Library of Congress, 1943 to 1975* (Washington: Library of Congress, 1977).

6. "Collector," *New Yorker* 49, no. 3 (March 10, 1973): 30.

7. Quoted in Meryle Secrest, "Lessing Rosenwald, Collector of Great Prints, Rare Books," *Smithsonian* 2, no. 12 (March 1972): 51.

8. Edwin Wolf and John F. Fleming, *Rosenbach: A Biography* (Cleveland and New York: World Publishing Company, © 1960).

9. Ibid., p. 299.

10. Rosenwald, "Formation of the Rosenwald Collection," p. 54.

11. Ibid.

12. Rosenwald devotes a chapter of his *Recollections* to the formation of his Blake Collection, listing as the additional sources the descendants of John Linnell, Blake's patron during his last years; the George C. Smith, Jr., sale; the Col. W. E. Moss sale; the A. E. Newton sale; and Allen Brown.

13. *Le chevalier délibéré, by Olivier de La Marche, printed at Paris in 1488, a reproduction made from the copy in the Lessing J. Rosenwald Collection, Library of Congress* (Washington: Rare Books Division, Library of Congress, 1946).

14. "Great Rosenwald Collection of Rembrandt Etchings Is Shown," *Art Digest* 5, no. 2 (mid-October 1930): 24.

15. Paul Richard, "Not a Giant, But a Gem," *Washington Post*, January 23, 1972, p. G2.

16. A. S. W. Rosenbach, foreword to "A Catalog of Important Recent Additions to the Lessing J. Rosenwald Collection," compiled by Frederick R. Goff, *Library of Congress Quarterly Journal of Current Acquisitions* 4, no. 3 (May 1947): 8.

17. From the obituary in the *New York Times*, June 26, 1979.

18. Carl Zigrosser, "So Wide a Net: A Curator's View of the Lessing J. Rosenwald Collection, 17th to the 20th Century," *Quarterly Journal of the Library of Congress* 22, no. 3 (July 1965): 194.

19. Lessing J. Rosenwald, "Rosenwald's Medal Acceptance Speech," *Art Alliance Bulletin* 41, no. 8 (May 1963): 16–17.

20. Ibid., p. 17.

21. Houghton Library, *Fact and Fantasy: Illustrated Books from a Private Collection* (Cambridge: Harvard College Library, 1976), p. 7. The quotation is from the "Collectors' Note" to the catalog written jointly by Mr. Vershbow and his wife, Charlotte.

22. Quoted in John Carter, *Taste & Technique in Book Collecting* (London: Private Libraries Association, 1970), p. 80.

23. Ibid.

24. Grolier Club, New York, *Bibliographical Notes on One Hundred Books Famous in English Literature*, comp. Henry W. Kent (New York: The Grolier Club, 1903).

25. Quoted in Carter, *Taste & Technique in Book Collecting*, p. 84.

26. Rosenwald, "Formation of the Rosenwald Collection," p. 55.

27. Lessing J. Rosenwald, *Recollections of a Collector* (Jenkintown, Pa., 1976). The edition of 250 copies was privately printed at the Stinehour Press.

28. Lessing J. Rosenwald, "Experiences in Collecting," *The Record*, Gleeson Library Associates, University of San Francisco, no. 9 (June 1972): 14.

29. Antonio da Siena, *Monte santo di Dio* (Florence: Nicolaus Laurentii, Alamanus, 10 Sept. 1477), 131 leaves. Rosenwald Catalog no. 222.

30. Quoted in Fred Ferretti, "The Treasure of Jenkintown, Pa.: Lessing Rosenwald's 25,000 Prints," *Art News* 72, no. 3 (March 1973): 44.

31. Hans Peter Kraus, *A Rare Book Saga: The Autobiography of H. P. Kraus* (New York: G. P. Putnam's Sons, © 1978), pp. 117–18.

32. Ferretti, "Treasure of Jenkintown," p. 42.

# A Swinburne Collector in Calydon

### by John S. Mayfield

In the first edition (September 1952) of his authoritative lexicon *ABC for Book-Collectors*, and in all of the reprints and succeeding revised editions, the great John Waynflete Carter defined a bibliophile as "a lover of books" and a bibliomaniac as "a book-collector with a slightly wild look in his eye."

I admit to being both, although my qualifications for the second are based solely on a single aspect of my book collecting; in fact, on the collecting of only one volume in all the realm of English Literature: the first edition of *Atalanta in Calydon,* a tragedy by Algernon Charles Swinburne, published in London in 1865. If I ever indeed entertained "a slightly wild look" in one or the other or both of my eyes, it was because I had in mind a definite purpose coupled with a determination which I was sure would result in some rather unusual bibliographical discoveries relating to a volume which had for some time been regarded as rare and scarce and highly valuable as a literary production by one of the outstanding dramatic and sometimes controversial poets of the past hundred and fifty years. Every anthology of pure Victorian poetry contains a quotation from the chorus beginning: "When the hounds of spring are on winter's traces."

The bibliographical revelations I hunted for deliberately and expected; they were not accidental, and they were, and still are, exciting to me since no bibliographer or rare bookman has ever previously noticed them in their descriptions of the first edition of the book, although some of these people were self-professed experts and authorities in the field of Swinburneiana. Perhaps it was because none of them had "a slightly wild look in his eye."

My first Swinburne book, a copy of the plays *The Queen-Mother and Rosamond,* was purchased in 1929, but it was not until 1943, fourteen years later, after prolonged solicitations and harassment of dealers, here and abroad, that I was able to acquire a copy of the Black Lily, the first edition of *Atalanta in Calydon*, with a mail bid which proved successful in sale no. 67, held

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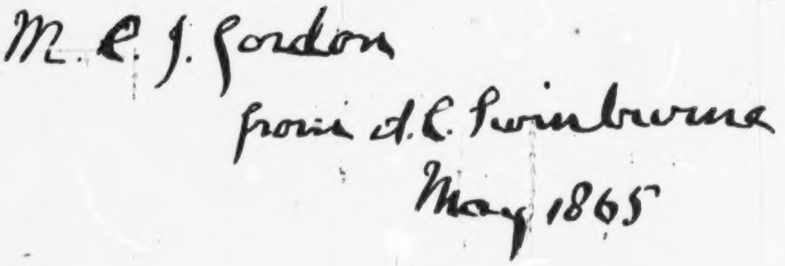
John S. Mayfield, curator emeritus of manuscripts and rare books, Syracuse University, is the author of *Swinburneiana: A Gallimaufry of Bits and Pieces about Algernon Charles Swinburne* (1974) and has contributed articles and essays to scholarly and bibliographical journals here and abroad. He is a member of the Grolier Club and the Rowfant Club and was the 1978 recipient of the University of San Francisco's Sir Thomas More Medal for Book Collecting. Mr. Mayfield attributes his success in collecting to Divine Guidance and the cooperation and encouragement of his wife, Edith. He has been librarian of the Army and Navy Club, Washington, D. C., since 1977 and in 1979 was appointed consultant in literary bibliography to Georgetown University.

*Swinburne's presentation inscription in a copy of the first edition of* Atalanta in Calydon *in a special binding ordered by the poet for the recipient, Mary Charlotte Julia Gordon, in whose home some of the work was composed. This copy was Swinburne's wedding present when she married Col. Robert William Disney Leith on June 14, 1865. Later Mrs. Leith wrote that it "was among the most valued of my wedding gifts." Some biographical analyzers and investigative scholars have attempted to unravel the warp and the woof of the relationship of these two first cousins. From the private collection of John S. Mayfield.*



M. C. J. Gordon
from A. C. Swinburne
May 1865

Edward S. Willard, Edward Arthur FitzGerald, Frederick Denison Maurice, Lady Ripon, Mrs. John Field Swinburne, William Crampton, Percy Withers, Colonel Cyril Hackett Wilkinson, Whitley Stokes, Charles Templeton Crocker, Edward K. Butler, Richard Brinsley Knowles, Val Princep, Elisabeth J. Conybeare, John Middleton, and John Henry Middleton.

5. There are five significant copies with the original leaf containing pages 85 and 86 (called the cancelland or cancellandum). This amounts to approximately 20 percent of the entire number collected here.

6. Five other copies were gifts to me from kind, gracious, and sympathetic friends: Irving Belt, Cecil Y. Lang, Norman H. Strouse (two copies), and Nicholas B. Scheetz.

7. A facetious statistic which may lead to a variety of imaginative speculations is found in the fact that of the copies in the original binding, 10 percent definitely show rings or circular markings on the front covers which appear to have come from nothing other than the bottoms of glasses of sherry, or perhaps, brandy.

8. With the exception of one copy, all of the others have errors corrected and uncorrected, some have only the first half, others have the second half, and in others the corrections were made in varied combinations, but all are made in the same style and manner, and there is no doubt they were done by the same pairs of hands and probably in the same place within the same period. Barrett, an ardent Quaker with a large family, most likely employed his wife, an experienced printer, and even their older children in effecting these corrections, and that may account for the peculiar mixture of corrections and errors left uncorrected.

This is a hodge-podge situation which defies solution without extensive use of a collating machine and work on a computer organized to sort out and develop differential characteristics so as to define, establish, and tabulate the various states in the first edition of the book. This is the next part of the project.

Following this exercise comes the matter of what to do with these 101 copies.

Suggestions are solicited.

# Two "Loaf-givers"

## Or a Tour through the Gastronomic Libraries of Katherine Golden Bitting and Elizabeth Robins Pennell

by Leonard N. Beck

> *Cookery means the knowledge of Medea, and of Circe, and of Calypso, and of Helen, and of Rebekah, and of the Queen of Sheba. It means the knowledge of all herbs, and fruits, and balms, and spices; and of all that is healing and sweet in fields and groves, and savoury in meats; it means carefulness, and inventiveness, and watchfulness, and willingness, and readiness of appliance; it means the economy of your great-grandmothers, and the science of modern chemists; it means much tasting, and no wasting; it means English thoroughness, and French art, and Arabian hospitality; and it means, in fine, that you are to be perfectly, and always "ladies" —"loaf-givers."*

This paragraph from John Ruskin's *Ethics of the Dust* is used as an epigraph by Fanny Farmer for *The Boston Cooking-School Cook Book.* In the earlier *Sesame and Lilies* Ruskin had proposed his derivation of lady from "bread-giver" or "loaf-giver" and lord from "maintainer of laws." He emphasized there that these appellations of dignity have reference "not to the law which is maintained in the house, nor to the bread which is given in the household, but to law maintained for the multitude and to bread broken among the multitude." Ruskin would have thought the bookman who has performed the double service of forming a collection and then of giving it to a public institution for the pleasure of others a "loaf-giver." His term seems specially applicable to the subjects of this essay, Katherine Golden Bitting and Elizabeth Robins Pennell, who have broken bread among the multitude by bequeathing their gastronomy and cookbook collections to the Library of Congress.

The task of writing on the libraries of the "loaf-givers" has been immeasurably lightened

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# The Quarterly Journal
## OF THE LIBRARY OF CONGRESS

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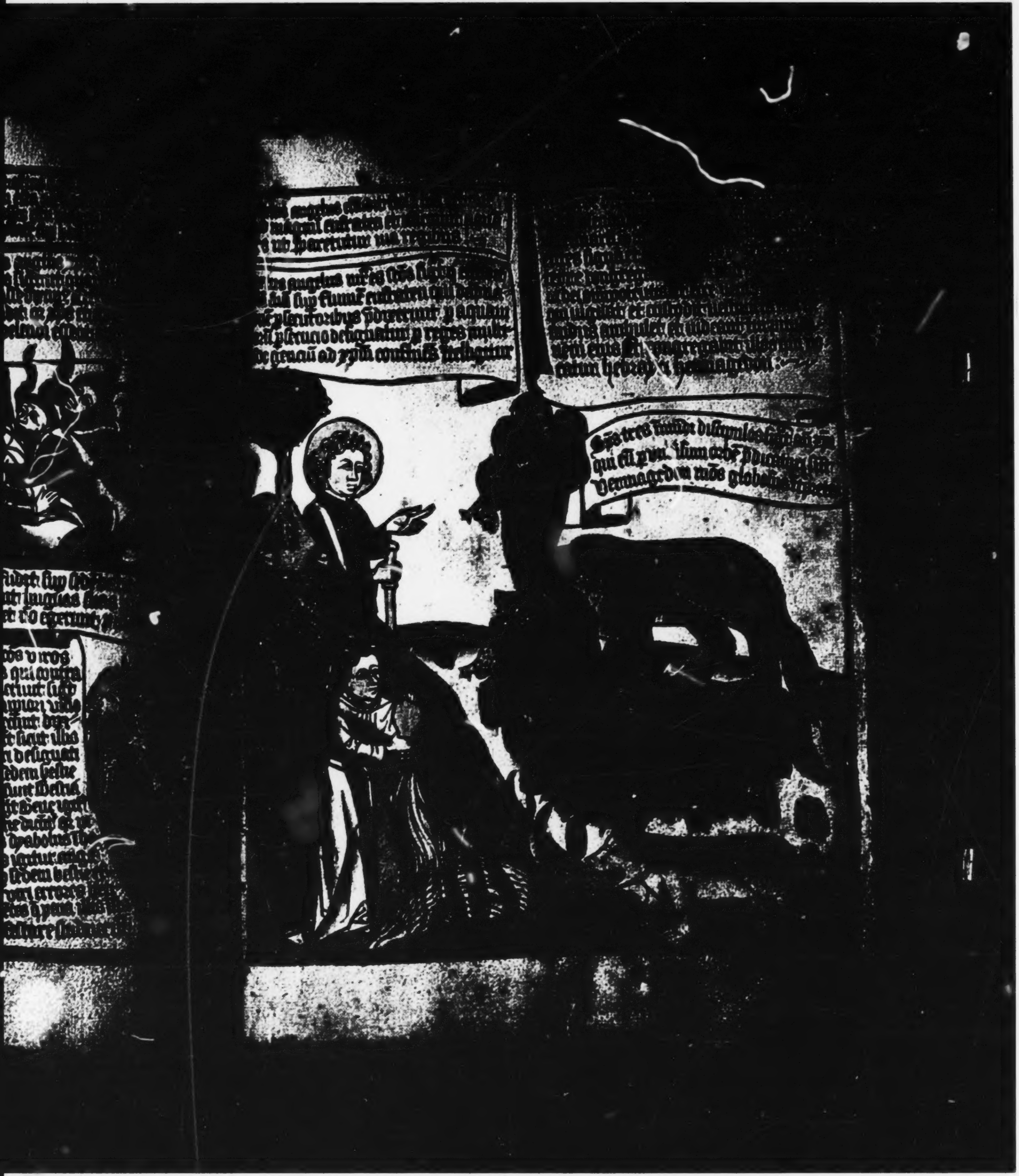
*Published as a supplement to the Annual Report of the Librarian of Congress*

the growth of the book collection, in quantity, in scope, and in quality, is astonishing. There seem to have been none of the tentative steps we associate with the beginning collector or the shifts in collecting focus. Wolf and Fleming date the beginning of the book collection to 1928. Before that date all they record is the 1922 purchase of two Stephen Crane first editions for six dollars. Reference works are the only other books listed in the surviving pre-1928 invoices. In October 1928 Rosenwald bought from the Doctor twelve, as Wolf and Fleming characterize them, "real" books—German illustrated incunabula essential to a collection strong in the separate fifteenth-century woodcut, among them the Nuremberg Chronicle (1493), the Cologne Chronicle (1499), and Koberger's illustrated edition of Jacobus de Voragine's *Golden Legend* (1488). None of these books were rare, by Rosenbach standards, but they were the beginning of the Rosenwald book collection as we know it today.

When he began to buy from the Doctor, Rosenwald was in his busiest years with Sears, Roebuck, with a growing family and a large sense of public responsibility. He knew that he needed the advice of people he could trust and found in the Doctor not only "a mentor, a tempter, and . . . a super-salesman,"[11] as he at one time described him, but most importantly, a friend. Their close relationship ended only with Rosenbach's death in 1952. Rosenwald gave the Doctor the major credit for the high quality of many of the rarest books in his collection. If the condition of one of the firm's books failed to meet the Doctor's standard for the collection, he would refuse to sell it, saying a better copy would come along. Though the two men could not, on the face of it, have been more temperamentally different, Wolf and Fleming think they got along so well because Rosenwald brought out the best in the Doctor, in part because of the inherent shyness of both men and in part be-

Bible N. T. Revelation. Latin. Selections. ca. 1470. Apocalypsis Sancti Johannis. [Germany, ca. 1470] Rosenwald catalog no. 23.

*The Apocalypsis Sancti Johannis or "Revelation of St. John" is one of the great monuments of block book printing. Essentially picture books with lessons, block books were well thumbed by their owners and rarely survive in such fresh condition. This copy, contemporarily hand colored, is bound in the middle of a sturdy volume containing four manuscript and printed texts.*



beginning of the first volume. The sudden termination of the artist's work and the tentative attempts at other kinds of illumination are but two of the mysteries of this fascinating manuscript, which still awaits full scholarly elucidation.

In general, Rosenwald assembled his books one by one, with two exceptions: thirty-five rare books acquired from Prince Liechtenstein's library and 167 Dutch and Flemish books from the collection of the Dukes of Arenberg. Though only half the Arenberg books were illustrated, Rosenwald bought the collection to get the tremendously rare illustrated half. At the time of the Arenberg purchase he had only seven fifteenth- and sixteenth-century Dutch and Flemish illustrated books, after years of searching. In buying the Arenberg Collection he acquired books notoriously difficult to obtain, a number of them known in no other copy, and made available to scholars a collection which had been inaccessible for years.

**The Rosenwald Collection at the Library of Congress**

*Indentures*

| | |
|---|---|
| 1943 (witnessed in an indenture dated January 30, 1946) | Approximately 400 books |
| March 20, 1947 | 150 books |
| September 2, 1947 | 100 books |
| March 9, 1948 | 25 books |
| December 28, 1950 | 175 books |
| December 28, 1951 | 85 books |
| December 29, 1952 | The Giant Bible of Mainz |
| December 29, 1952 | *Poëmes de P. J. Bernard,* 1796 |
| December 14, 1953 | 100 books |
| December 21, 1954 | 85 books |
| June 18, 1964 | 700 books |
| December 23, 1968 | 10 books |
| April 11, 1975 | 10 books |
| May 11, 1978 | 180 books |

The "reference books" listed in many of these indentures were not counted in these totals but are in many instances of such interest and rarity they were included in the catalog of the Rosenwald Collection published by the Library in 1978. This accounts for the discrepancy between the approximately 2,000 "rare books" covered by the indentures and the 2,600 separate entries in the catalog.

Rosenwald formed his book collection by steady acquisitions over a period of fifty years, punctuated by explosive activity from 1929 to 1930 and 1945 to 1947, and rounded off with a conscious slowing down in the 1960s and 1970s. In the obituary notice for Lessing Rosenwald in the *New York Times* Frederick R. Goff, who was associated with the Rare Book Division from 1940 to 1972 and its chief for twenty-seven of those years, recounts that one day in the 60s he was lunching with Mr. Rosenwald at a Jenkintown restaurant—the Rosenwald cook was off that day and Mrs. Rosenwald was away—when Mr. Rosenwald, an amiable bespectacled man, made a surprising admission. "He confessed he'd overextended himself in collecting," Mr. Goff recalled, "and he said, 'I'm afraid I've reached the end of my active collecting years; I have to think of my wife and children and grandchildren.' "[17]

As evidenced by the 180 items in the 1978 gift, the collecting passion was far too strong to be subdued completely, though it did not flame as brightly as it had in the years of greatest collecting effort.

In my experience many people are convinced that collecting is easy if you have enough money. Lessing Rosenwald knew that wealthy people stand a good chance of becoming accumulators rather than collectors. His classic example of an acquirer—a person who gathers things together for prestige or personal gratification, never looking at them and caring very little about them—was William Randolph Hearst. His view of a collector's responsibility is clear from his talks and writings, and I would like to consider it in these remaining pages, being convinced that a successful collector has something to teach us which is quite independent of his or her pocketbook.

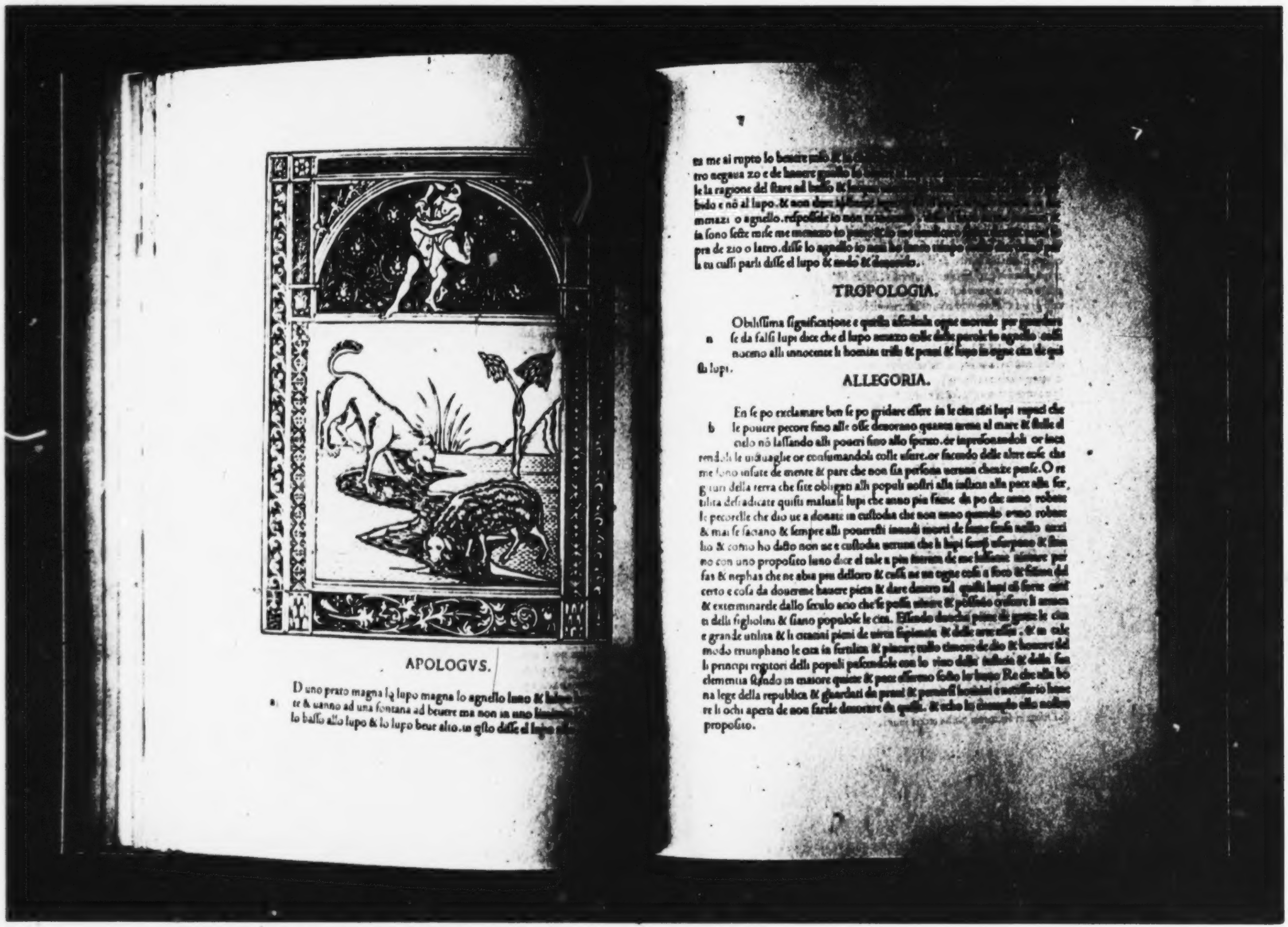
In writing about the Rosenwald Collection, Carl Zigrosser listed the qualifications needed for its creation:

1. A scholar's knowledge of the text and contents in order to evaluate properly the landmarks of literature, history, and culture.
2. A thorough grounding in the history of art and particularly of printmaking from the fifteenth into the twentieth century.
3. An overall acquaintance with the craft of

printing and its history, with papermaking, and with bookbinding.

4. A sixth sense to detect forgeries and restorations.
5. An extensive knowledge of the market in order to decide whether a book is really rare and no other opportunity to acquire it may ever come.[18]

Rosenwald invariably described his accomplishment in much more modest terms. This quote from 1963 is typical: "I believe that without *some* knowledge of what you collect the most interesting and exciting part is lost. It must be realized, however, that even if the amateur collector—and I still retain my amateur standing—gains *some* knowledge of what he is collecting, he will only be able to 'skim the cream off the top.' "[19] He went on to say, "The erudition of the great scholars who have devoted



APOLOGVS.

TROPOLOGIA.

ALLEGORIA.

Aesopus. Vita et Aesopus moralisatus. Latin and Italian. Naples [Germani fidelissimi for] Francesco del Tuppo, 13 Feb. 1485. Rosenwald catalog no. 242.

*Perhaps none of the countless illustrated editions of Aesop has received more attention than Tuppo's Naples edition of 1485. Arthur Hind in his history of woodcuts calls it by far the most important book printed at Naples in the fifteenth century. The illustrations have delighted and perplexed the book's admirers, being impossible to pinpoint to a locality. The borders have a definite Spanish flavor and other influences are apparent in the handsome designs. Mr. Rosenwald always took particular pleasure from the many books of fables in his collection—his editions of Aesop, Dialogus creaturarum, Bidpa'i, and others, whose stories he retold with evident relish.*

*Algernon Charles Swinburne (1837–1909), famous and sometimes controversial English literary figure. Prints and Photographs Division.*

December 9, 1943, by Swann Auction Galleries in New York City. I was disappointed that this was a rebound copy, albeit garnished with brilliant designs of intricate patterns. In collecting rare books I have always preferred those in the original bindings, no matter how shaken, worn, or loose.

Swann's catalog description of this rebound, cut-down copy was as follows: "Small square 4to, full emerald morocco by Aurifex with brilliantly colored flowers and central lozenges inlaid on both sides, the whole richly gilt; the designs cover almost the whole of the binding, the outlines of the panels being the only blank surface. An exceptionally colorful binding signed on back cover by Aurifex; slightly rubbed, hinges beginning to crack; top gilt, other edges uncut. London, Edward Moxon, 1865. First edition, first issue [actually there was only one issue], only 100 copies of which were printed. Imprint on verso of title-page: 'London, Richard Barrett, Printer, Mark Lane.' RARE." There were no bookplates or names of former owners. The book was mine for $22.75 less than the bid I had mailed in.

Then came the careful, tedious, minute examination of the book by magnifying glass and jeweler's eyepiece, page by page, line by line, word by word, and letter by letter. On page 50, in line 2, something appeared peculiar with the word *paven*. It gave the impression that an error had been made in the printing, that a wrong letter or letters had been erased, and the letter *p* stamped in by inserting the single inked type by hand. What error, I wondered, was corrected in this crude manner? Again, on the same page, in the line next to the last, a peculiarity appeared in the word *change*. Something had been erased at the end of the word, and a comma inserted by hand with pen and ink. What had been the error? The third oddity, I found in the last line on page 73. There the word *my* appeared clearly as *mv*. Next I discovered that the leaf containing pages 85 and 86 was a cancel (or cancellans), that is, a corrected leaf substituted for the original leaf on which had appeared an error (or errors) so grievous as to preclude any other method of correction. Usually the faulty leaf is carefully excised, and the cancel stuck on to the stub remaining of the original leaf. Most times it is extremely difficult to detect a cancel in a rebound copy since the narrow stub ordinarily disappears into the gutter as a result of the rebinding, but in this copy the cancel was plainly evident. Again, what was the error which caused this substitution?

Though I do not recall any evidence of cancels in the Gutenberg Bible, it is a fact that cancels have been known to exist since the invention of printing from movable type, and there is no more intriguing and tantalizing subject in the entire world of bibliography. There is a substantial amount of literature by outstanding experts and authorities on the subject, and every dedicated collector should read and study as much as he can find. With the development of automation and other impersonal computer methods of mass book production, it is evident that cancels are becoming a thing of the past. If an error is made by the computer, the chances are a thousand to one nothing will be done about it. Only in very unusual cases does one detect a cancel in a book produced nowadays.

The final irregularity I found in this first copy of the first edition of *Atalanta in Calydon* was on page 108, lines 7, 8, and 9, where the first letters of each initial word—*D, A*, and *B*—appear in slightly oblique positions and give the impression that they were either loose type or stamped in over erasures.

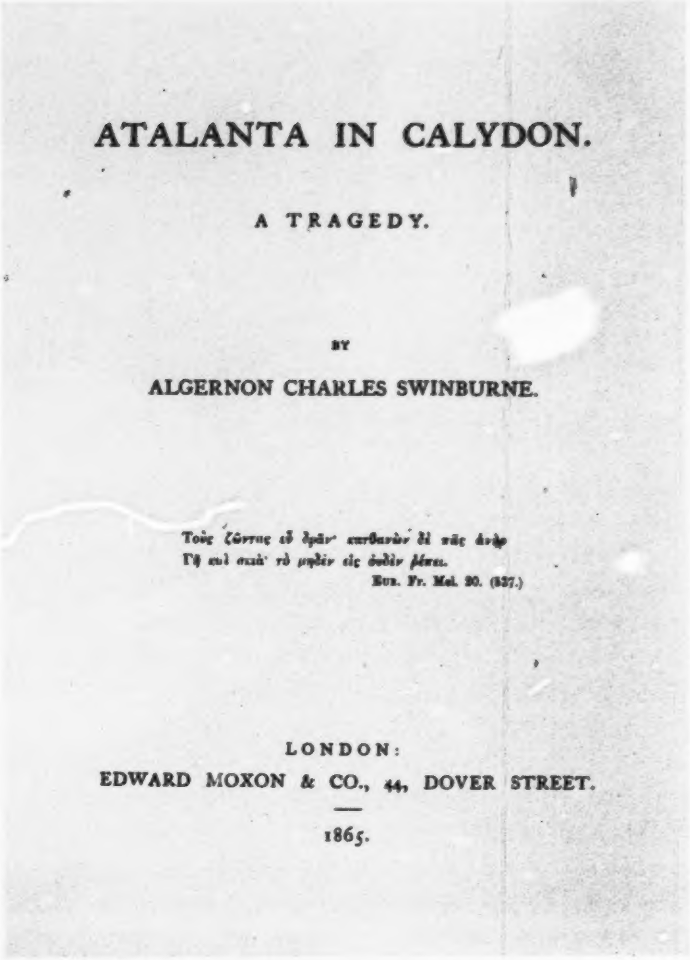
The discoveries of these peculiarities as a result of what I considered an intensive examination were rather unnerving to me, although I was not totally surprised; they caused me much concern and worry: first, because I was afraid I might have missed some errors and corrections—as proved later on to be the case. (I do not particularly like to find a coin on the sidewalk or any other public place. I do not necessarily consider it good luck. Of course, I claim and pocket the coin, but I always have the feeling there may be another or more in the vicinity, and that I am missing out by not searching the area. It is disconcerting.) Second, I was disturbed because I could find no references to these oddities anywhere in any of the superb bibliographies of English literature or of the Victorian period.

It seemed to me impossible that I was uncovering unrecorded characteristics of the first edition of Swinburne's most famous poetic production, which had been in existence for almost a century, had long been classified as a rare book of unusual value, and had been listed and described in dealers' and auction catalogs and in the card catalogs of such world-famous repositories as the Library of Congress, the British Library, the Morgan and Huntington collections, and similar institutions of international reputation. Nowhere were any references to be found to the several unusual things I had found in my copy of the book, and I was disturbed, and a little happy.

This situation intensified my determination, and the longer I pondered the matter the more my magnified curiosity impelled me onward. I had to have another copy of the book, preferably in the original binding, with the original leaf containing pages 85 and 86, and the other noted errors uncorrected; in other words, I wanted a copy in its original, virgin state. I wanted to see what had happened in connection with the printing of this rare book.

Such a copy was not yet available.

But only a few weeks later I acquired copy no. 2. It had been item 897 in sale no. 514, held January 11, 1944, by Parke-Bernet Galleries, New York City, and my mail bid was $2.50 more than the cost of the book to me. This copy had been rebound by Zaehnsdorf, in full peacock blue levant morocco, sides with an inlaid bank of dark morocco with gilt design enclosing a diaper of tulips onlaid in tinted morocco with foliation in gilt, same design repeated on back, doublures and flyleaves of blue silk, gilt edges, contained in a morocco-back slipcase. The only evidence of former ownership was the leather bookplate of Charles C. Kalbfleisch, and laid in was the origi-



ATALANTA IN CALYDON.

A TRAGEDY.

BY

ALGERNON CHARLES SWINBURNE.

Τοὺς ζῶντας εὖ δρᾶν· κατθανὼν δὲ πᾶς ἀνὴρ
Γῆ καὶ σκιά· τὸ μηδὲν εἰς οὐδὲν ῥέπει.
Eur. Fr. Mel. 20. (537.)

LONDON:
EDWARD MOXON & CO., 44, DOVER STREET.
1865.

*Title page of the first edition of Swinburne's greatest work,* Atalanta in Calydon *(London: Edward Moxon & Co., 1865). Rare Book and Special Collections Division.*

by the commentaries both ladies have published, Mrs. Bitting her *Gastronomic Bibliography* (San Francisco, 1939) and Mrs. Pennell *My Cookery Books* (New York and Boston: Houghton Mifflin, 1903). The reader is referred to these books as standards to measure what is said here and as sources to supply what is left unsaid. For the most part the talk will be of Mrs. Bitting's collection, because it is by far the more comprehensive, with 4,450 titles as against the Pennell collection total of 732. It is also because of the shockingly inegalitarian distribution of literary talent—that is, that Mrs. Pennell should have had so much more of it than anyone daring to come after her.

Mrs. Pennell was a working journalist and the author or coauthor of more than twenty-five books. She moved in literary circles with Henry James, Bernard Shaw, William Henley, William Archer, and George Moore, possibly as much in her own right as in the name of her husband, the artist Joseph Pennell. The copies of works in her library inscribed to her by these men testify to their liking and respect. *My Cookery Books* is a work rather brocaded than written; its tone is that of conversation at a tea table. Bruce Rogers's design of the book for the Riverside Press recognized and reinforced these qualities. Except for the *Gastronomic Bibliography,* Mrs. Bitting's writing seems to have been confined to about fifty notes for publication in the technical literature of food chemistry. Although the *Gastronomic Bibliography* hardly belongs in that category that Charles Lamb called *"biblia a-biblia* . . . things in books' clothing," unlike *My Cookery Books* it can probably preach only to the already converted, that is, interest only the already interested.

While the Bitting Collection happily is larger than announced by the *Gastronomic Bibliography,* the Pennell deposit is somewhat less than should be anticipated from *My Cookery Books.* A shipping agent's negligence left part of Mrs. Pennell's shipment to the Library in a warehouse to rot, the most notable victim being the first edition of Hannah Glasse once owned by George Augustus Sala, to which we shall return. The Bitting Collection has a chronology. Mrs. Bitting died in 1937. The *Gastronomic Bibliography* was published in 1939, under the supervision of her husband, Dr. A. W. Bitting, who continued his gifts to the Library until his own death in 1944. The items asterisked in the *Gastronomic Bibliography* made up the Bitting Collection in 1939; they do not completely represent it as now constituted. Mr. Bitting's noteworthy gifts included Ashmole's *Order of the Garter* (1672), Ruperto de Nola's cookbook in the Castilian version of 1525, and, the jewel of the collection, the Maestro Martino manuscript described in an earlier article in this journal.[1] There were other unrecorded gifts, individually less distinguished but significant in the aggregate. For example, L. and W. Glozer in their *California in the Kitchen* (Los Angeles? 1960) comment truly enough that there are more California imprints unrecorded by the *Gastronomic Bibliography* than recorded. However, an examination of the shelves shows twenty-four California items in the Bitting Collection not reported by the Glozers, who had erroneously assumed that the Bitting Collection equated with the *Gastronomic Bibliography.*

The limitations of treatment forced by the constraints of space should be stated. While the Pennell Collection is a straightforward collection of cookbooks, the Bitting Collection is a thematic one designed to represent the very varied aspects of food and dining subsumable as gastronomy. These remarks will focus on the cookbook and touch only incidentally on topics like wine, coffee, food preservation, and domestic service, all of which have literatures too large to be explored within a parenthesis. Occasionally the sentence required to identify a minor title will be foregone so that a major work may have a paragraph to establish its importance. It is probably a reflection of this writer's personal interests that the emphasis throughout will be on the older works, that is, those of the pre-Mrs. Beeton or *Larousse gastronomique* era. This kind of self-indulgence is as much the prerogative of the librarian as of the housekeeper. The model in this connection is Jane Austen, who wrote sister Cassandra (November 17, 1798): "My mother desires me to tell you that I am a very good housekeeper, which I have no reluctance in doing because I really think it is my peculiar excellence and for this reason—I always take care to provide such things as please my own appetite, which I consider as the chief merit in housekeeping."

A brief historical sketch, a *tableau d'ensemble,* of the various national culinary literatures is an expedient mechanism for the exposition of these collections. "Another way," as the old cookbooks say, will be employed first to deal with some Renaissance and early modern publications for which the international intellectual milieu of the period seems more important than the country of origin. There should be no need to argue that the kitchen window is a good observatory from which to watch the course of history. Before Lévi-Strauss, acute social observers had known that eating is a ritual and that since man feels that what he puts in his mouth will become part of him, he will not eat everything, at any time, or at any place. "A pie for afternoon tea. The very idea," said Cousin Tabitha Twitchit in Beatrix Potter's *The Pie and the Patty Pan.* In Proust's *Remembrance of Things Past* the narrator incurs the enmity of the Princess Agrigente by getting the Guermantes to add grape juice to the orangeade served ritually at five o'clock. Doubtlessly the Princess said: "The very idea." Eating and drinking are social languages compact with ideas.

◆

La gastronomie est la connaissance raisonée de tout ce que a rapport à l'homme, en tant qu'il se nourrit. Brillat-Savarin

In *La vie treshorrificque du grand Gargantua* Rabelais prescribes for the education of the young Gargantua joyous table talk on "the vertue, propriety, efficacy, and nature of all that was served in at the table; of bread, of wine, of water, of salt, of fleshes, fishes, fruits, herbs, roots and of their dressing." The talkers quote the relevant passages from the classic authorities (Rabelais begins his list with Pliny and Athenaeus) and often, to make certain of a reference, the book itself is brought to the table. This section of these remarks is a sampling of the Renaissance and early modern books in the Bitting Collection that might have been cited in table discussion of this sort. Despite the diversity of the authorship and themes, this sampling will demonstrate that conceptually this collection is of a piece and that its parts are interlocking.

The gist of what is to be said, what Rabelais calls the "substantific marrow," is that the chief point of origin of the modern literature of gastronomy is medical humanism, that is, the humanist perception of the doctrines of Greek medicine. Man's eager but uninformed study of what can be called "the laws of inner space" had revealed only the first of these, that expressible in the terms of Aristotleian physics as "Nature abhors a vacuum." Other, more sophisticated discoveries became possible when the humanists added to Galen's concept of diet as a quasi-moral judgmental act their own interest in the whole man, body as well as mind, in contrast with the medieval view of the body as dross, a mere anchor for the soul.

The three examples of medical humanism to be described here are alike in that they came in 1530 off the presses of Simon de Colines in Paris and in that they relate to two figures, Hippocrates and Galen, who are pivots on which the history of medicine turns. The first of these titles is *Hippocratis Aphorismi,* purchased by the Bittings from Jules Duhem of Montpelier, a distinguished student of the early history of aeronautical ideas. Simon de Colines had published three little pieces from the Hippocratic canon in two editions of 1524. In one of these, the *De natura humana*, there is on the last page a kind of apology *Ad lectorem* in which Colines promises soon to better this imperfectly printed translation by another edition.

Philippe Renouard comments in his *Bibliographie des oeuvres de Simon de Colines*[2] that this promise was fulfilled by the two printings of Hippocrates that Colines issued in 1539. But Renouard did not know the 1530 Colines *Hippocratis Aphorismi*, an example of which is in the Bitting Collection. It seems more probable that it is this edition rather than those of 1539, nine years later, that Simon de Colines had in mind when he made his promise to the reader. Perhaps because the 1530 imprint was not listed in Renouard, Roland Antonioli and René Sturel[3] did not consider it among the possible sources for the 1532 *Hippocratis ac Galeni libri aliquot* prepared for publication by Gryphius in Lyon by François Rabelais. These Rabelais scholars talk only of the translations available in editions of 1524 and 1527, although the same translations, including all those used by Rabelais in 1532, are to be found in the Bitting edition.

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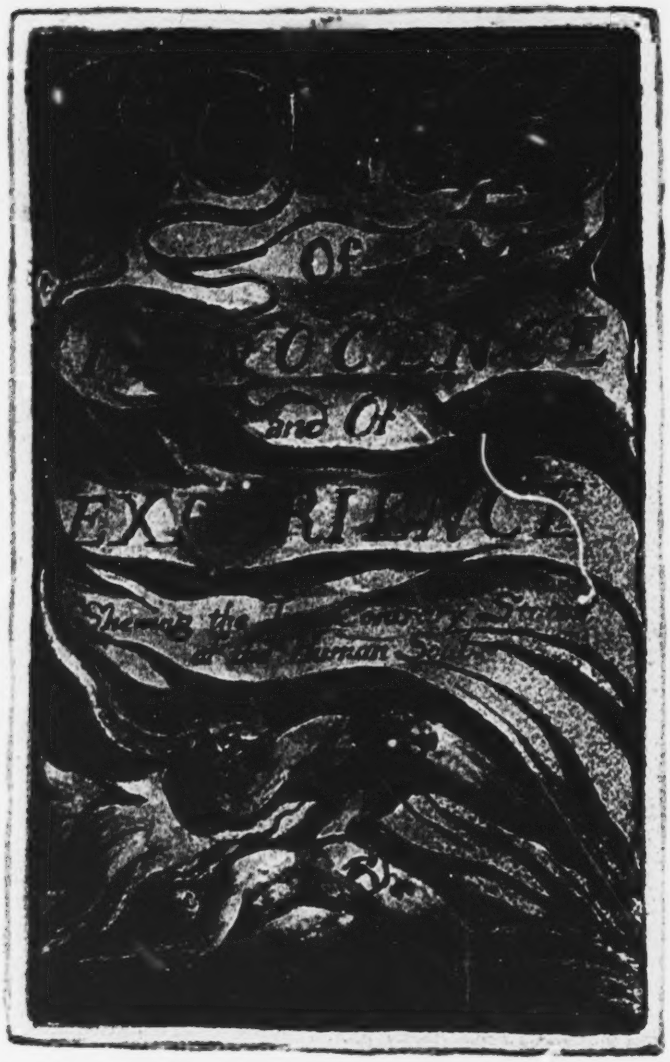
cause of Rosenwald's evident respect for the Doctor's wide and firmly based knowledge.

Rosenwald returned to Rosenbach's on March 5, 1929, to buy some of the most important books in the Doctor's fabled stock. The $404,700 he spent that afternoon made this the third biggest day in Rosenbach history. For that sum he acquired among other things four magnificent block books the Doctor had obtained from the Holford collection. Block books in which both text and illustrations are cut on the same woodblock overlap the separate woodcut print and the printed book with woodcuts, Rosenwald's developing specializations. In that same purchase he got most of the best William Blakes the Doctor had purchased from the William A. White estate, including seven of Blake's marvelous illuminated books, among them the finest known copy of *The Book of Urizen* and the only known copy of *The Book of Ahania.* These were the foundation of what is generally regarded as the finest Blake collection in America, one of the magnets that attracted scholars to the Alverthorpe Gallery and the source of many of the highly regarded facsimiles produced by the Trianon Press in association with the William Blake Trust.[12]

Early in 1930 Rosenwald purchased the most important group of illustrated books up to that time, including one of the two copies known then of the 1488 Paris edition of Olivier de La Marche's poem *Le chevalier délibéré,* containing some of the finest woodcuts in a fifteenth-century French book. The Library of Congress published this in the late 1940s as the second in a series of facsimiles from the Rosenwald Collection.[13] Like the block books purchased in 1929, the twenty-six books in this purchase were not likely to come on the market again in a lifetime and the price of $297,000 was consistent with their quality.

As soon as the collections began to take shape, Rosenwald made the prints and books available for exhibit. This action followed from his view of a collector's responsibilities: to care for the material he or she has assembled and to make it available for use. By lending his prints he was helping to expose as wide a public as possible to the art of the print. In this desire to use his collection for educational purposes he had the example of his father, who, though not a collec-



Blake, William. Songs of innocence and of experience, shewing the two contrary states of the human soul. [London, W. Blake, 1794] Rosenwald catalog no. 1801.

*Mr. Rosenwald's remarkable assemblage of books, plates, proofs, and engravings relating to the works of William Blake, the great English poet, printer, and philosopher, rivals any in the world. The collection includes two copies of* Songs of Innocence and of Experience, *1794. The copy shown here is a prime example of Blake's later brilliant coloring. An inscription on the flyleaf reads: "This copy I received from Blake himself—and coloured by his own hand . . . H. C. Robinson, March 11th 1863."*

tor, gave extremely generously in support of education. The first exhibit loans for which I have located records were made in 1929. In 1930, only four years after he had launched the print collection, Rosenwald lent 200 Rembrandt prints to the Art Alliance in Philadelphia. The notice of the exhibit in the *Art Digest* for the same year says "Rosenwald's great collection of Rembrandt's etchings . . . is declared by critics to be one of the finest and most complete assemblages of the master's plates in the world . . . ."[14] In the same year he loaned Harvard's Fogg Museum representative examples from his Blake Collection. The momentum of loans accelerated in the 1930s, as word of the collection and its treasures spread. At that time, before the Alverthorpe Gallery had been constructed, the books and prints were housed in his Sears, Roebuck office, at his home, and in storage at the Free Library of Philadelphia. They could be seen in exhibits and Rosenwald believed that an art work not seen might as well not have been created. When one of his prints was damaged by insects while being exhibited in South America, he is reported to have said on its return, "Better to be seen and eaten than not seen at all."[15] The willingness with which he responded to loan requests (sometimes with only a week's notice) strikes a curator in 1979 as characteristic of a distant age. Preservation concerns, the time-consuming requirements of scholarly documentation, security problems, and soaring insurance rates have today greatly reduced the freedom of loans and have made the planning for exhibits long-range and expensive.

In the 1930s the prints—in particular the Rembrandts, the Dürers, and the Blakes—were much better known than the books. Prints, of course, were far more easily transported, less subject to damage, frequently required less elaborate description, and could easily be installed. Margaret Stillwell, far advanced in her work on the *Second Census of Incunabula in American Libraries*, wrote in 1937 to say that she had just learned of the Rosenwald incunabula. Though she was able, by last-minute changes, to include the books in her *Census*, one can only think that the incunabula were not known even to specialists if they came so close to being missed by such a diligent researcher.

After the first great burst, culminating in

Si ſarme et monte embaſtõne
Lacteur pour entrer en la queſte

Mon cheual ſappelloit Vouloir
Et mon harnoys le fiz tremper

La Marche, Olivier de. Le chevalier délibéré. Paris [Gui Marchand or Antoine Caillaut] for Antoine Vérard, 8 Aug. 1488. Rosenwald catalog no. 399.

Le Chevalier délibéré *is one of the volumes Mr. Rosenwald acquired from A. S. W. Rosenbach in the historic 1930 purchase described in this article. Only two copies were then known of this first edition of La Marche's allegorical poem on the struggle between the spiritual life and death.*

their lives to research and study in the collector's field will never be attained by the amateur."[20]

In saying this Rosenwald was clearly thinking of all the things there are to know about a collection as rich and diverse as his. Arthur Vershbow, an American collector from a later generation who also began as a print collector and expanded his scope to include illustrated books, observes that "the aesthetic and the intellectual are . . . joined in a unique way in the fine illustrated book. . . ."[21] In bringing out his books for visitors, collectors, students, and scholars, Rosenwald, in my experience, talked less about their rarity, the techniques used in producing them, or their physical characteristics than about their contents: what the author was trying to say. In that sense, as a man who had read widely but had no formal specialization in a particular period of intellectual history, he was an amateur. His collecting technique was anything but amateurish. Indeed, in the formation of his collection he consistently demonstrated the qualities Graham Pollard identified as typical of a great book collector: "critical intelligence in defining the shape of his collection, pertinacity in seeking out everything within that scope, and courage in acquiring it."[22]

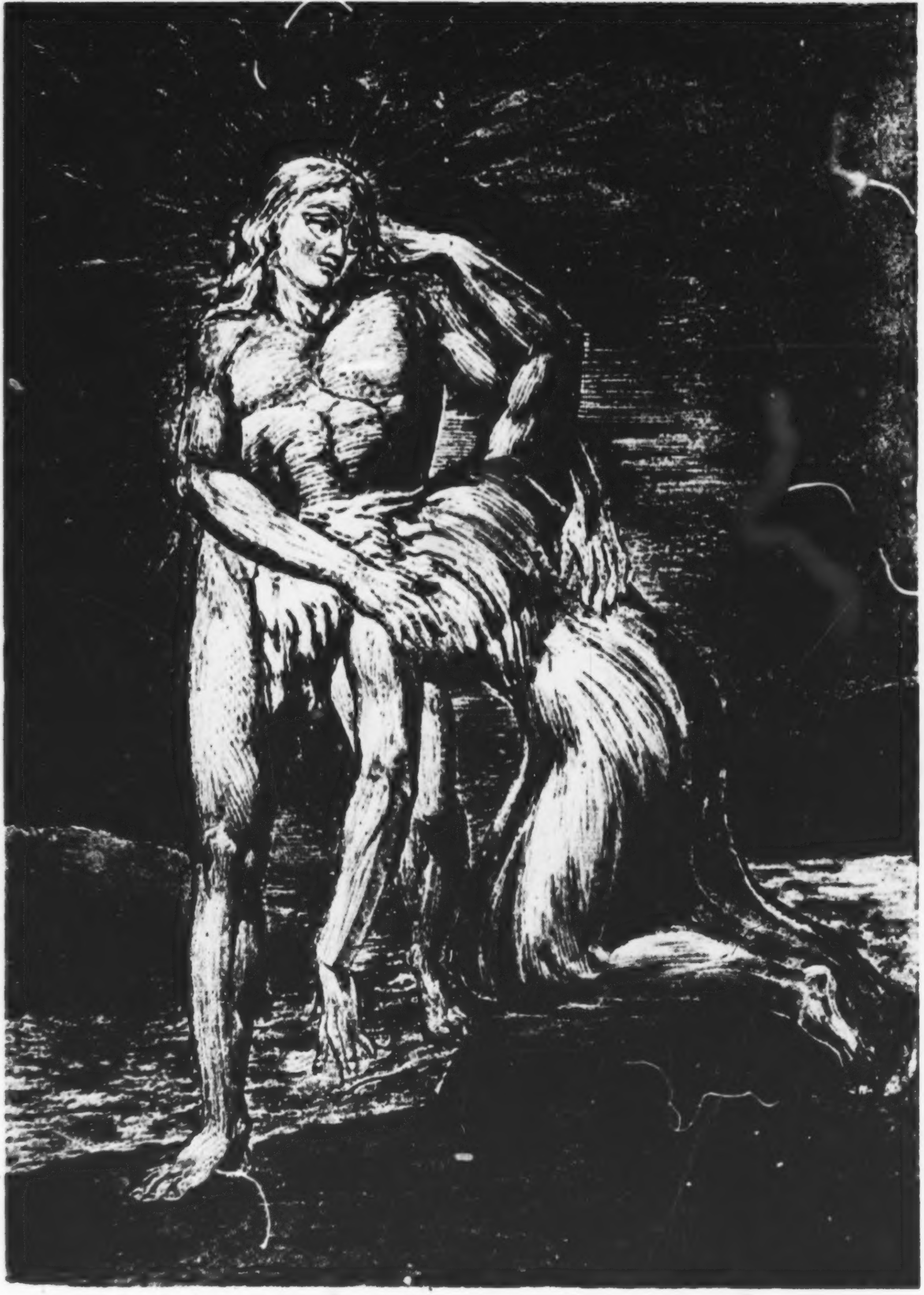
Collectors do not exist in a vacuum and either accept or advance beyond the collecting traditions of their time, as John Carter's admirable book *Taste & Technique in Book Collecting* makes clear.[23] Though Rosenwald used as his principal source A. S. W. Rosenbach, who had inherited the mantle of George D. Smith, the rare book dealer who so completely dominated the American rare book market until his death and who played such a major role in the formation of the collections of Henry E. Huntington and other wealthy Americans, he differed markedly from Smith's typical clients. Rosenwald constantly strove to define and confine and to focus on quality rather than on full representation. In contrast to Rosenwald, who assembled his books one by one, with the two exceptions noted earlier, all-embracing collectors such as Robert Hoe (1839–1909) and Huntington (1850–1927) purchased books and manuscripts on a tremendous range of subjects, over a wide sweep of time, and in great quantities.

It is true that in his interest in the monuments of early printing and the masterpieces of book illustration Rosenwald had links to a collecting interest associated with the original members of the Roxburghe Club, the elite English collectors' group founded in 1812. However, he brought to his collecting an independent taste, based on an eye for artistic quality developed from years of looking at prints. He used that eye to buy prints and illustrated books of living artists and stated that this is one of the challenges to a collector in his field.

In his interest in quality rather than representativeness Rosenwald had some of the characteristics of Frederick Locker-Lampson, the nineteenth-century English collector whose technique influenced a subsequent generation. Within his collecting specialization, English literature, Locker-Lampson sought the books he judged to be of the greatest literary merit in the original editions. The Locker-Lampson collection was small, extremely choice, and a direct reflection of the collector's discriminating taste. Though a specialist by the wide-ranging standards of Hoe and Huntington, Rosenwald's collecting was not so narrowly focused as Locker-Lampson's. When he had a book in which certain woodcuts were first used, he welcomed later editions in which the cuts appeared in new combinations, in which their influence on other artists was demonstrated, or in which deterioration or improvement in the original conception was revealed.

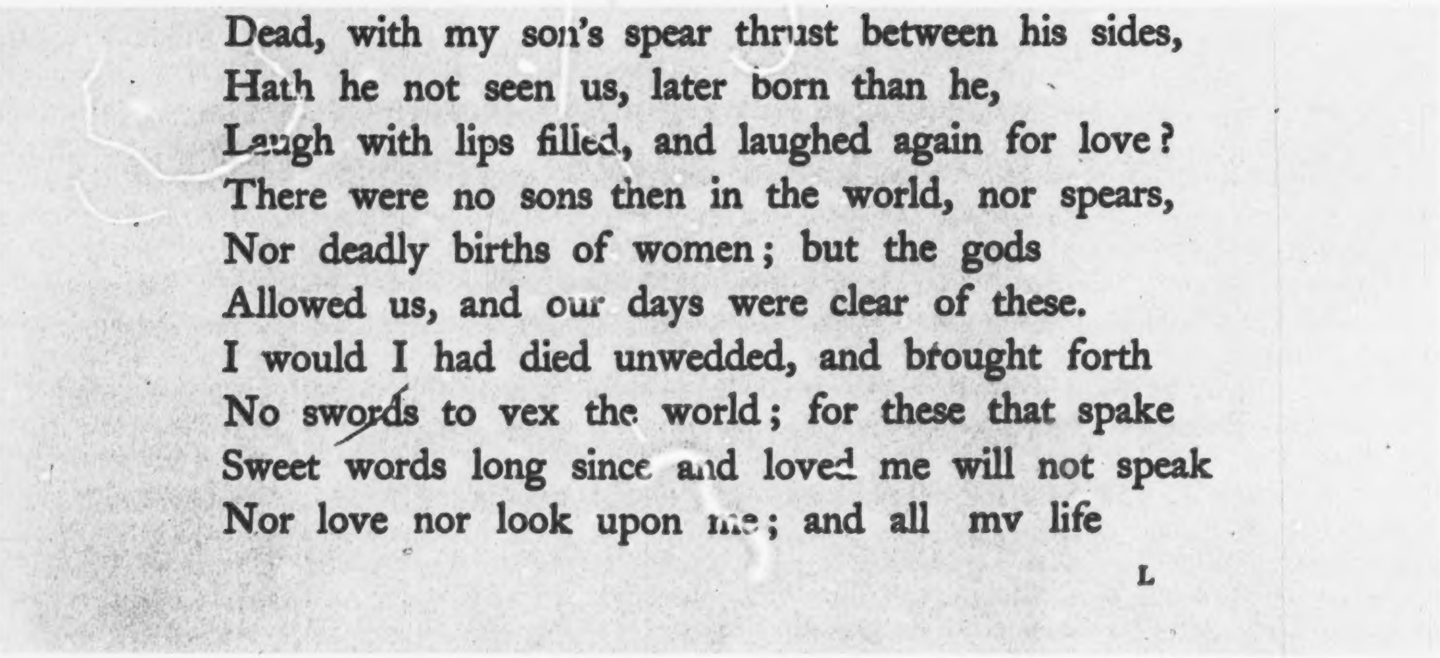
In the 1930s, as a reaction to the boom of the 1920s and the ensuing great crash of literary reputations and of prices, a number of wealthy American collectors found their way through the uncertainties of the period by becoming list collectors, seeking the books in such standard guides as the Grolier Club's.[24] Rosenwald was already too determined a collector to be dismayed by the upheavals of the period and was collecting books with more stability than the fashionable authors of the 1920s. Besides, many of the early illustrated books are so rare that a list would be an aggravation, not an inspiration. And temperamentally Rosenwald was not a man to depend on received opinion.

If Rosenwald differed in significant ways from earlier collectors and from collectors of his own generation, he differed as well from collectors of today. There were, in his collecting philosophy, characteristics which make him a



Blake, William. Milton, a poem in 12 (i.e. 2) books. The author & printer W Blake. [London] 1804 [i.e. 1815?] Rosenwald catalog no. 1810.

*The* Census *of Blake's illuminated books by Geoffrey Keynes and Edwin Wolf 2nd records only four copies of* Milton. *Shown here is a plate from the copy Keynes and Wolf designated as "D." This copy contains fifty plates on the same number of leaves, making it complete as revised by Blake, without the suppressed preface but with the unique plate beginning "Palambron." This is the only copy with fifty plates known.*



Dead, with my son's spear thrust between his sides,
Hath he not seen us, later born than he,
Laugh with lips filled, and laughed again for love?
There were no sons then in the world, nor spears,
Nor deadly births of women; but the gods
Allowed us, and our days were clear of these.
I would I had died unwedded, and brought forth
No swords to vex the world; for these that spake
Sweet words long since and loved me will not speak
Nor love nor look upon me; and all mv life

L

*Last line, page 73, showing the error* mv. *From the private collection of John S. Mayfield.*

nal signed autograph manuscript by Swinburne of the dedication leaf to the first collected edition of his poems, signed in full by the poet. Whether it was Kalbfleisch or someone before him who had the book rebound by Zaehnsdorf, it is certain that individual thought a great deal of the book to have it preserved in such an elaborate piece of excellent craftsmanship. On the front flyleaf appeared the pencil notation: "First edition. Very rare. Only 100 copies were printed."

Checking for the peculiarities noted in copy no. 1, I found in copy no. 2 the identical erasures and corrections on page 50; pages 85 and 86 were a cancel, and on page 108 the three letters *D*, *A*, *B* were in perfect alignment, but on page 73 it was clear that a tail had been added in ink by hand to change *mv* to *my*.

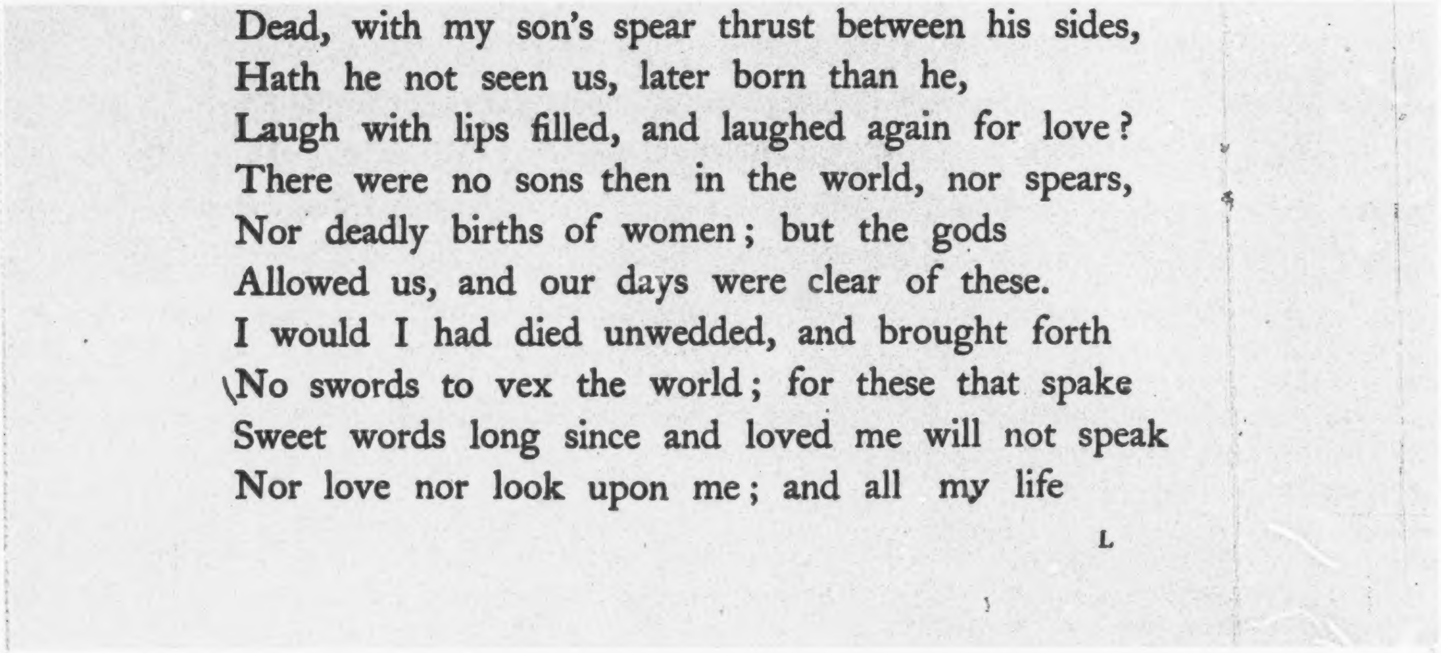
The situation now became more intriguing. What was to be done? The answer was evident: go for copy no. 3.

Surprisingly enough, the third copy turned up almost immediately. It was an unnumbered item listed in the catalog of Goodspeed's of Boston entitled *The Month* (vol. 15, nos. 4-5, January-February 1944, p. 108). My order by telegram secured the copy for me, and I received it on February 12. It was another copy rebound by Zaehnsdorf (signed and dated 1902) in full green levant morocco extra, with elaborate floral designs on covers, green silk doublures and endleaves, gilt top, other edges, as issued, with the original cloth covers, designed by Rossetti, bound in at the end. The catalog description included the statement: "The rare first edition, of which only 100 copies were printed." There were no bookplates or signatures of former owners, but on the reverse of the front endleaf at the top edge appeared the name printed in 5-point Pearl caps: Bartlett & Co. Boston.

Page 50 had the same erasures and corrections, pages 85 and 86 were a cancel, the three letters *D, A, B* on page 108 were in position all right, but on page 73 *mv* remained *mv* without any tail to correct it to *my*.

Stop here? Not at all. Another copy was desirable.

Several weeks later the gentleman and scholarly bookman Percy E. Lawler of the Rosenbach Company of Philadelphia came up with a prime copy, offered in his letter dated April 19, 1944. The book, which came to be copy no. 4, I received on April 24, and I found it to be not only in the original binding but also an association copy of unusual interest. There was plain evidence that this had actually been Swinburne's personal copy in which he had written his name



Dead, with my son's spear thrust between his sides,
Hath he not seen us, later born than he,
Laugh with lips filled, and laughed again for love?
There were no sons then in the world, nor spears,
Nor deadly births of women; but the gods
Allowed us, and our days were clear of these.
I would I had died unwedded, and brought forth
No swords to vex the world; for these that spake
Sweet words long since and loved me will not speak
Nor love nor look upon me; and all my life

L

*In some copies the error was corrected by adding a tail to the* v *to make* my. *The "L" indicates the first page of the signature. Rare Book and Special Collections Division.*

and then later penned an inscription and signed it for his early friend and companion, the rascal Charles Augustus Howell. This and another copy of the first edition, also inscribed by Swinburne to Howell, in the collection of Norman H. Strouse, were the subject later on of two little pieces by me in the *Papers* of the Bibliographical Society of America (vol. 49, Fourth Quarter, 1955) and *The Book Collector* (London, vol. 4, no. 1, spring 1955).

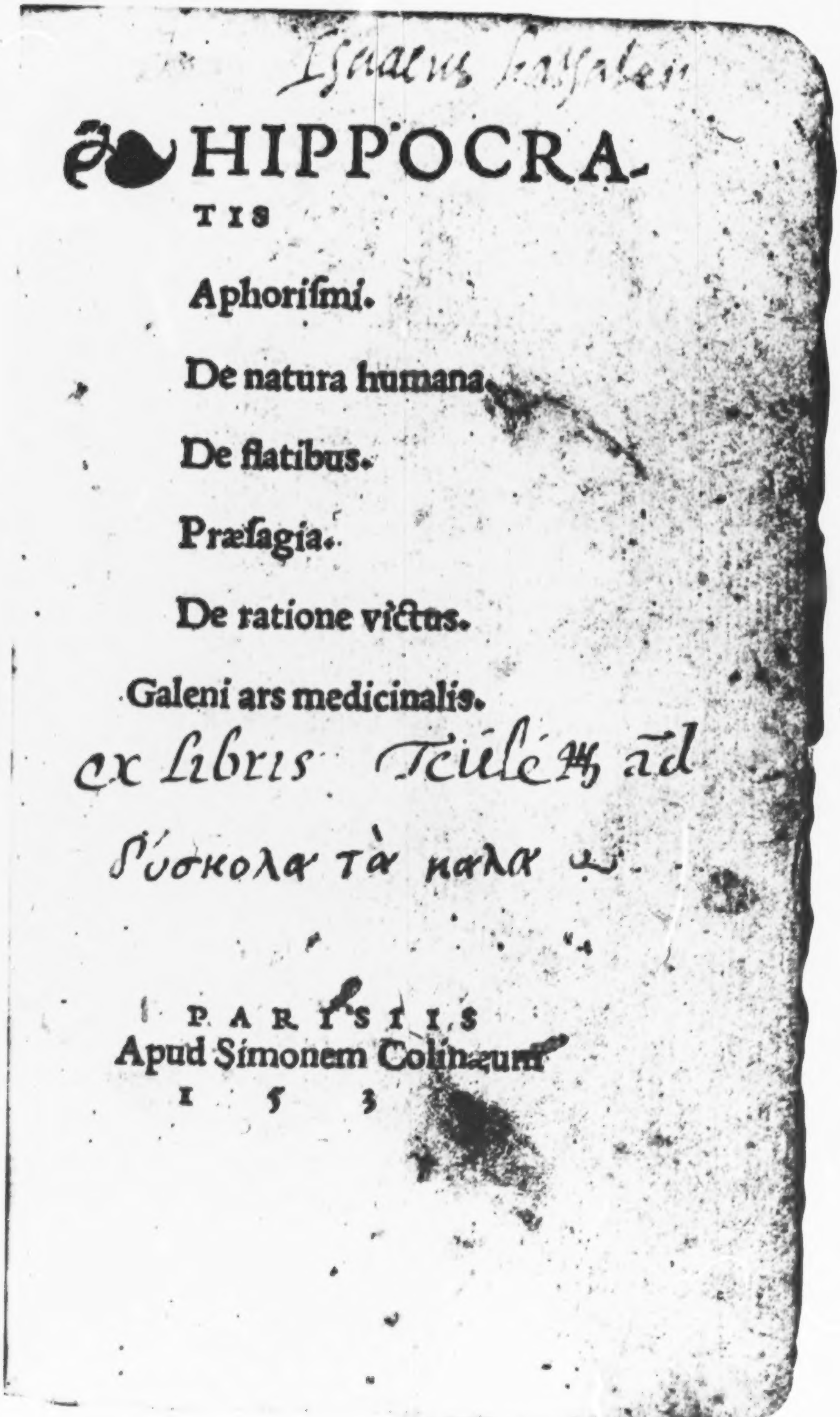
In copy no. 4, on page 50, there were the two erasures and corrections, page 73 had *mv* for *my*, pages 85 and 86 were a cancel, and the three letters on page 108 were in perfect position. What to do now? The matter had to be pursued further.

Two months later, on June 26, 1944, I received copy no. 5 from the Seven Bookhunters of New York City. In the original binding, it had the identical textual characteristics of copy no. 4 except that the letters on page 108 appeared to be slightly irregular, giving the impression they may have been stamped in over erasures. Some kind of an erratic pattern was beginning to form, and another copy of the book was necessary.

A few weeks later, on July 12, 1944, I received copy no. 6 from the Gotham Book Mart of New York City. In the original binding, it had the erasures and corrections on page 50, on page 73 *mv* had been converted to *my* by adding a tail to the *v*, pages 85 and 86 were a cancel, and the three letters on page 108 were in undisturbed condition.

A little over sixty days later, on September 22, 1944, I acquired copy no. 7 from the Searchlight Book Company of New York City. This was an exceptional copy. In the original binding, it had an autograph presentation inscription signed by Swinburne (initials) to his distinguished uncle, Major-General the Hon. Thomas Ashburnham, who had taken his eighteen-year-old nephew on a trip to the Continent in 1855. Page 50 had the two erasures and corrections, on page 73 a tail had been added to *mv* to make it into *my*, pages 85 and 86 were a cancel, and nothing was awry on page 108. This copy had belonged to Harry Bache Smith, the librettist, book collector, and author, and was described erroneously in his volume *A Sentimental Library* (New York: Privately Printed, 1914).

Copy no. 8, in the original binding, I received on November 22, 1944, from Laurence Gomme of Brentano's in New York City, who described it as "Very scarce as only 100 copies of the first edition were printed." Page 50 had the same erasures and corrections, on page 73 a tail had been added to *mv* to make it *my*, pages 85 and 86



Isaacus bassaler

HIPPOCRATIS

Aphoriſmi.

De natura humana.

De flatibus.

Præſagia.

De ratione victus.

Galeni ars medicinalis.

ex Libris Teulerij ād

δύσκολα τὰ καλά

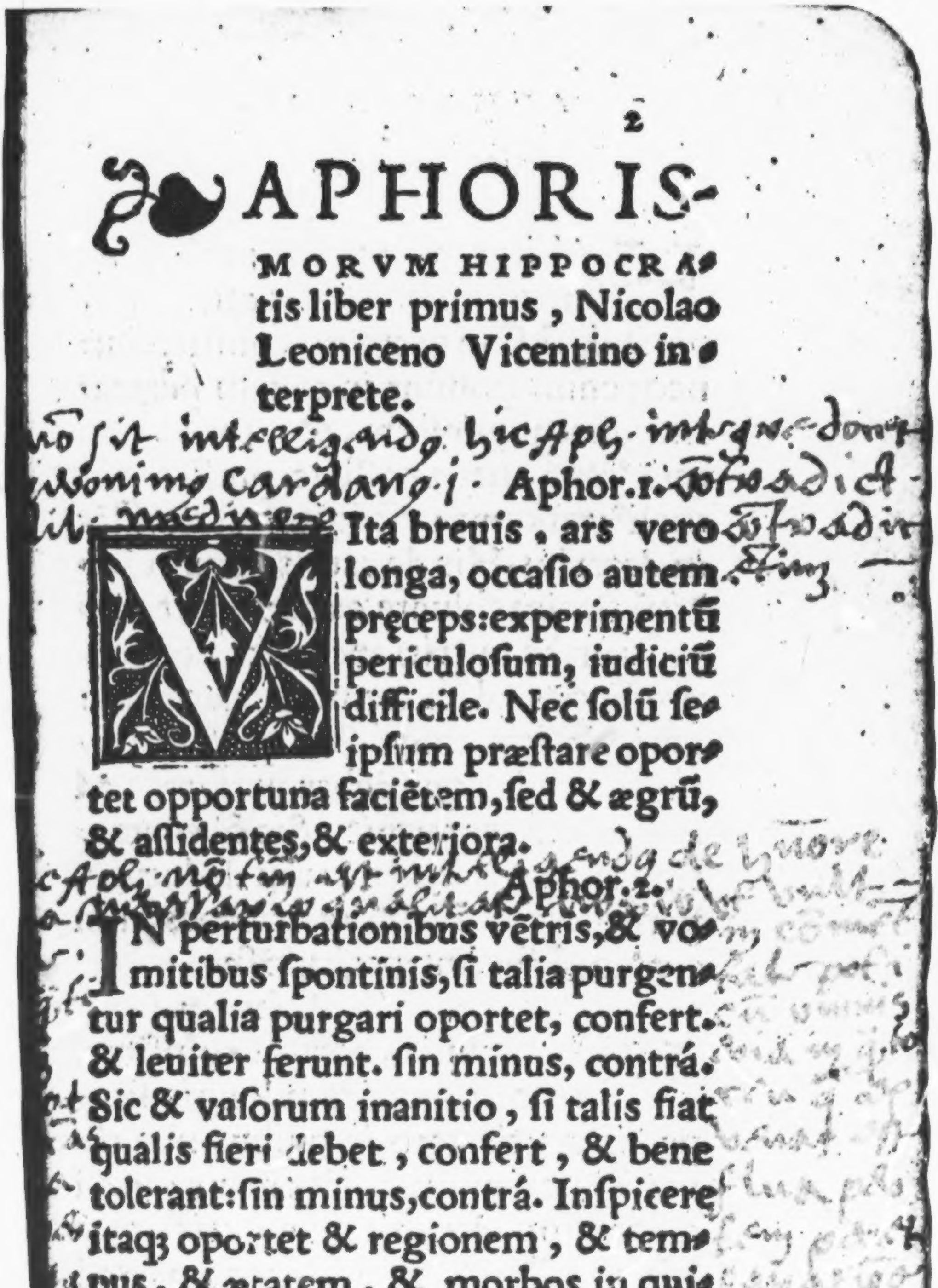
PARISIIS

Apud Simonem Colinæum

153

Hippocratis Aphorismi *(Parisiis: apud Simonem Colinaeum, 1530)*

*The name Isaacus Bassaler appears on the top of the title page of this copy of the 1530 edition, probably that promised by Colines in 1524.*



2

APHORISMORVM HIPPOCRAtis liber primus, Nicolao Leoniceno Vicentino interprete.

Aphor. 1.

Vita breuis, ars vero longa, occaſio autem pręceps: experimentũ periculoſum, iudiciũ difficile. Nec ſolũ ſeipſum præſtare oportet opportuna faciẽtem, ſed & ægrũ, & aſſidentes, & exteriora.

Aphor. 2.

In perturbationibus vẽtris, & vomitibus ſpontinis, ſi talia purgentur qualia purgari oportet, confert. & leuiter ferunt. ſin minus, contrá. Sic & vaſorum inanitio, ſi talis fiat qualis fieri debet, confert, & bene tolerant: ſin minus, contrá. Inſpicere itaq; oportet & regionem, & tempus, & ætatem, & morbos in qui-

a.ij.

*The annotations here further illustrate Bassaler's hand.*

# AGE SEARCH INFORMATION

The Census Bureau can provide authorized individuals with official transcripts of its population records from 1900 to the present that are useful for a variety of purposes–showing age, relationship, place of birth, citizenship, occupation, etc. This new manual explains what an age search can or cannot do, and suggests a variety of alternative Federal record sources. Useful to individuals, genealogists, and organizations that need such documents.

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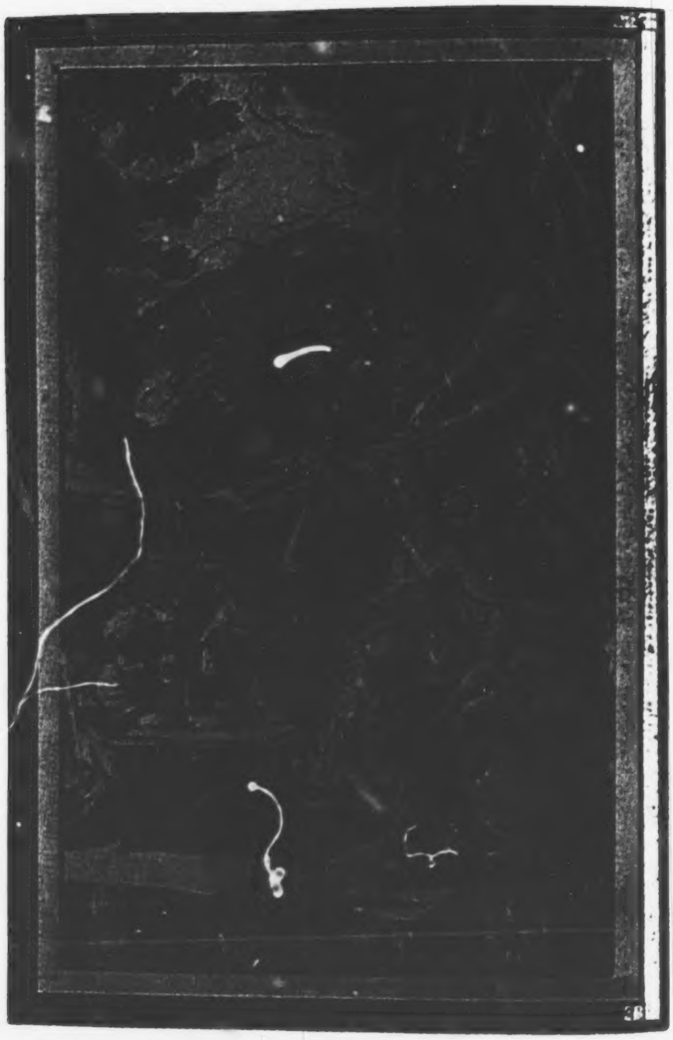
# Lessing J. Rosenwald, 1891–1979

*It would be impossible to describe the many hours I have spent in enjoying and learning a little about these collections. I am happy that they are in such good company, with hundreds of similar treasures in the Library's Rare Book Division. It has been easy to transfer these cherished tomes to the Library of Congress. It has been impossible to give, nor have I any desire to do so, the many friendships that have been formed, the exciting experiences I have had, and the swift-moving hours of pleasure I have derived from the gathering of these precious books.*

Lessing Rosenwald, in the
*Quarterly Journal of the Library of Congress*
July 1965



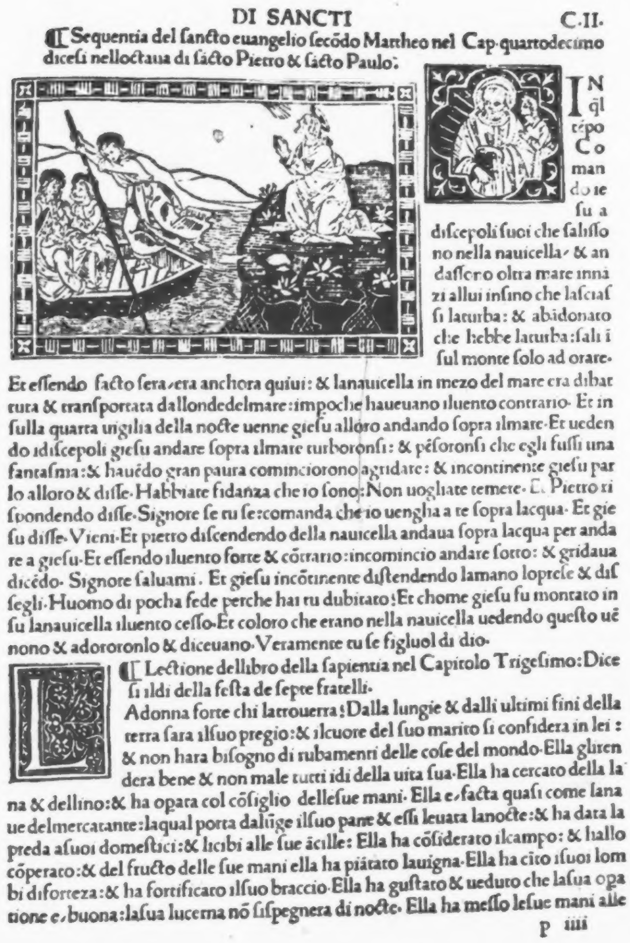
Erasmus, Desiderius. L'eloge de la folie, tr. du latin d'Erasme, par M. Gueudeville. Nouv. ed. rev. & corr. sur le texte de l'ed. de Basle. [Paris] 1751. Rosenwald catalog no. 1638.

*Most of the eighteenth-century French books in the Rosenwald Collection are special copies, in the French collecting tradition, containing either original drawings, extra states of the plates, trial and rejected plates, or some other characteristic which sets them apart from the ordinary copies. In Mr. Rosenwald's unique copy of this French translation of Erasmus's "Praise of Folly" the original drawings by Charles D. J. Eisen are mounted to face the seventeen engravings in the published book. Shown here is one of those original drawings.*

Apollinaire, Guillaume. Calligrammes. Lithos de Chirico. [Paris] Gallimard, 1930. Rosenwald catalog no. 2163.

*Although Lessing Rosenwald was not a bindings collector per se, over the years he assembled the work of a number of the great binders, binding designers, and collectors whose names are associated with bindings in the process of acquiring his books for other reasons. This binding was designed by Paul Bonet, who was apparently intrigued by the possibilities suggested by the text, for his designs appear on a number of copies of the 1918 and 1930 editions of* Calligrammes. *Variations on the theme of a combination of the letters comprising the author's name and the title, the bindings harmonize with the text, which in its deliberately eccentric typography expresses in visual terms the rhythms of the verse.*

1930, the deepening Depression first slowed the growth of the Rosenwald print and book collection and in 1932 brought it to a standstill. His large-scale purchases and the decline in value of Sears, Roebuck stock had left Rosenwald overcommitted and in debt to the Rosenbachs. From the early 1930s until 1935, there are virtually no records of purchases from the Doctor or from anyone else. By 1935 his finances had improved to the point that he was able to pay off the Rosenbach debt and begin to collect ambitiously again. In coming back into the book and print market at this point he was able to take advantage of opportunities available in a still greatly depressed economy. Though the range of the print collection had expanded by the early 1930s to cover all centuries from the fifteenth to the present, the book collection's emphasis as late as the mid-thirties was on the illustrated book through 1520, with exceptions made for the work of William Blake and William Morris's Kelmscott Press. With the Doctor's encouragement, in the late 1930s Rosenwald expanded his collection to include first eighteenth-century French books and shortly afterwards the twentieth-century French illustrated book. By the time of the 1943 gift to the Library of Congress the shape of the collection had basically been set: its central focus the illustrated book, strongest in the fifteenth, sixteenth, and twentieth centuries but having representative holdings of illustrated Western printed books from all centuries from the fifteenth century on, supported by block books and a small but choice group of twelfth- to sixteenth-century illuminated manuscripts. After the 1943 gift the pace of acquisitions picked up still further, particularly in the years 1945 to 1947. To provide the underpinnings for his illustrated books, Rosenwald turned his attention in that period to the monuments of early printing from the years before illustrations first were used in printed books, acquiring such magnificent volumes as the Johann Fust and Peter Schoeffer *Durandus* of 1459, the earliest complete printed book in the collection; the 1460 *Catholicon* of Giovanni Balbi, believed to have been printed by Johann Gutenberg; and the great two-volume Bible printed by Fust and Schoeffer in 1462. In 1947 Rosenwald gave the 250 books he had acquired from 1945 to 1947 to the Library, and 80 of the



DI SANCTI C·II·

¶ Sequentia del ſancto euangelio ſecōdo Mattheo nel Cap·quartodecimo
diceſi nelloctaua di ſācto Pietro & ſācto Paulo:

IN
ql
tēpo
Co
man
do ie
ſu a
diſcepoli ſuoi che ſaliſſo
no nella nauicella / & an
daſſero oltra mare inna
zi allui inſino che laſciaſ
ſi laturba: & abādonato
che hebbe laturba: ſali i
ſul monte ſolo ad orare·
Et eſſendo facto ſera / era anchora quiui: & lanauicella in mezo del mare era dibat
tuta & tranſportata dallondedelmare: impoche haueuano iluento contrario· Et in
ſulla quarta uigilia della nocte uenne gieſu alloro andando ſopra ilmare· Et ueden
do idiſcepoli gieſu andare ſopra ilmare turboronſi: & pēſoronſi che egli fuſſi una
fantaſma: & hauēdo gran paura cominciorono agridare: & incontinente gieſu par
lo alloro & diſſe· Habbiate fidanza che io ſono: Non uogliate temere· Et Pietro ri
ſpondendo diſſe· Signore ſe tu ſe: comanda che io uengha a te ſopra lacqua· Et gie
ſu diſſe· Vieni· Et pietro diſcendendo della nauicella andaua ſopra lacqua per anda
re a gieſu· Et eſſendo iluento forte & cōtrario: incomincio andare ſotto: & gridaua
dicēdo· Signore ſaluami. Et gieſu incōtinente diſtendendo lamano lopreſe & diſ
ſegli· Huomo di pocha fede perche hai tu dubitato? Et chome gieſu fu montato in
ſu lanauicella iluento ceſſo· Et coloro che erano nella nauicella uedendo queſto uē
nono & adororonlo & diceuano· Veramente tu ſe figluol di dio·

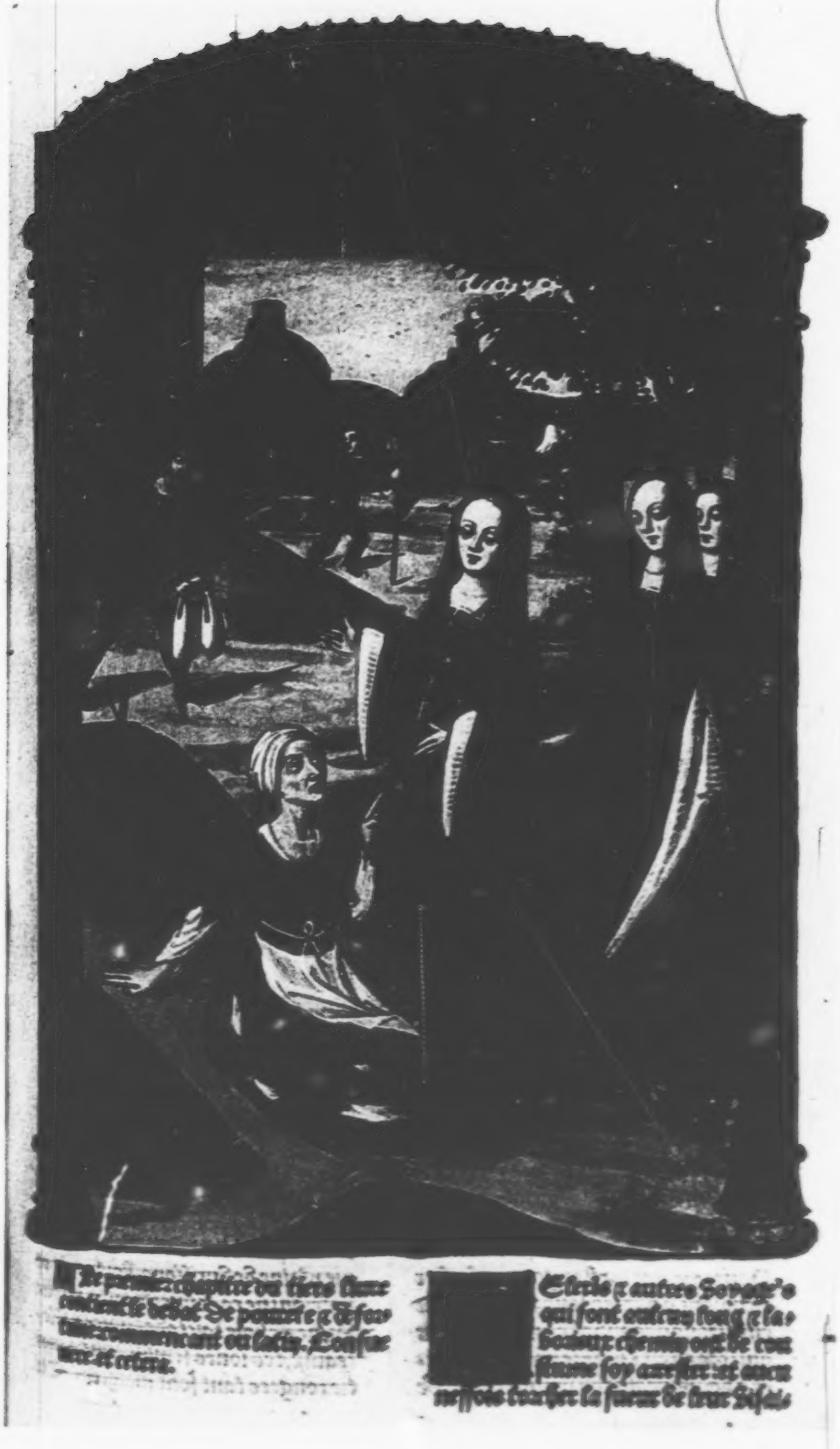
¶ Lectione dellibro della ſapientia nel Capitolo Trigeſimo: Dice
ſi ildi della feſta de ſepte fratelli·
LAdonna forte chi latrouerra? Dalla lungie & dalli ultimi fini della
terra ſara ilſuo pregio: & ilcuore del ſuo marito ſi confidera in lei:
& non hara biſogno di rubamenti delle coſe del mondo· Ella gliren
dera bene & non male tutti idi della uita ſua· Ella ha cercato della la
na & dellino: & ha opata col cōſiglio dellesue mani· Ella e / facta quaſi come lana
ue delmercatante: laqual porta dalūge ilſuo pane & eſſi leuata lanocte: & ha data la
preda aſuoi domeſtici: & licibi alle ſue ācille: Ella ha cōſiderato ilcampo: & hallo
cōperato: & del fructo delle ſue mani ella ha piātato lauigna· Ella ha cito iſuoi lom
bi diforteza: & ha fortificato ilſuo braccio· Ella ha guſtato & ueduto che laſua opa
tione e / buona: laſua lucerna nō ſiſpegnera di nocte· Ella ha meſſo leſue mani alle
p iiii

Bible. N. T. Epistles and Gospels, Liturgical. Italian. 1495. Epistolae et Evangelia. Italian. Florence, Lorenzo Morgiani and Johannes Petri, for Piero Pacini, 27 July 1495. Rosenwald catalog no. 298.

*This is one of only two known copies of an Italian translation of* Epistolae et Evangelia, *the gospels and epistles of the New Testament. The book has been called the finest illustrated book printed in Florence in the fifteenth century, high praise indeed given the quality of Florentine book production of the period. In 1962 the woodcuts were recut for an extremely successful edition of the Holy Gospels printed at Verona by the late Giovanni Mardersteig's fine private press, the Officina Bodoni.*

Boccaccio, Giovanni. De casibus virorum illustrium. French. Paris, Antoine Vérard, 4 Nov. 1494. Rosenwald catalog no. 427.

*The Rosenwald Collection contains two copies of Vérard's edition of the "Fall of Princes" in French, one on paper, the other on vellum. In the paper copies the woodcuts, not atypically for Vérard, have no relevance to the adjoining text. In the vellum copy from which this reproduction is taken the illuminator has painted large miniatures related to the text over the woodcuts, exactly as though blank space had been left for the purpose. (In this connection see the Boethius reproduced in this article.) The large miniatures in combination with other decorations throughout the volume give the effect of a splendidly legible, richly illuminated manuscript.*



bridge between the past and the present. Today collectors are increasingly narrowing their fields of specialization at the same time that they are enlarging the conception of the kinds of material appropriate for inclusion in their collections. Undoubtedly the realities of the marketplace have something to do with this trend, but it is equally traceable to a changing taste. Today books which would have been deemed ordinary by a collector of another era and unworthy of inclusion in his or her collection are seen to have significance as part of newly developing collecting patterns. Collectors increasingly form special collections, a nucleus of unusual material surrounded by items not individually rare but given meaning through their context. A quote from Seymour de Ricci, in many ways an unlikely source for such an observation, expresses the collecting spirit of the last part of the twentieth century: "There is no conceivable subject upon which a truly enlightening collection cannot be made."[25] In such a light there is no book which does not possess significance as part of some larger context. The collector's challenge is to find the context which brings apparently insignificant books to life.

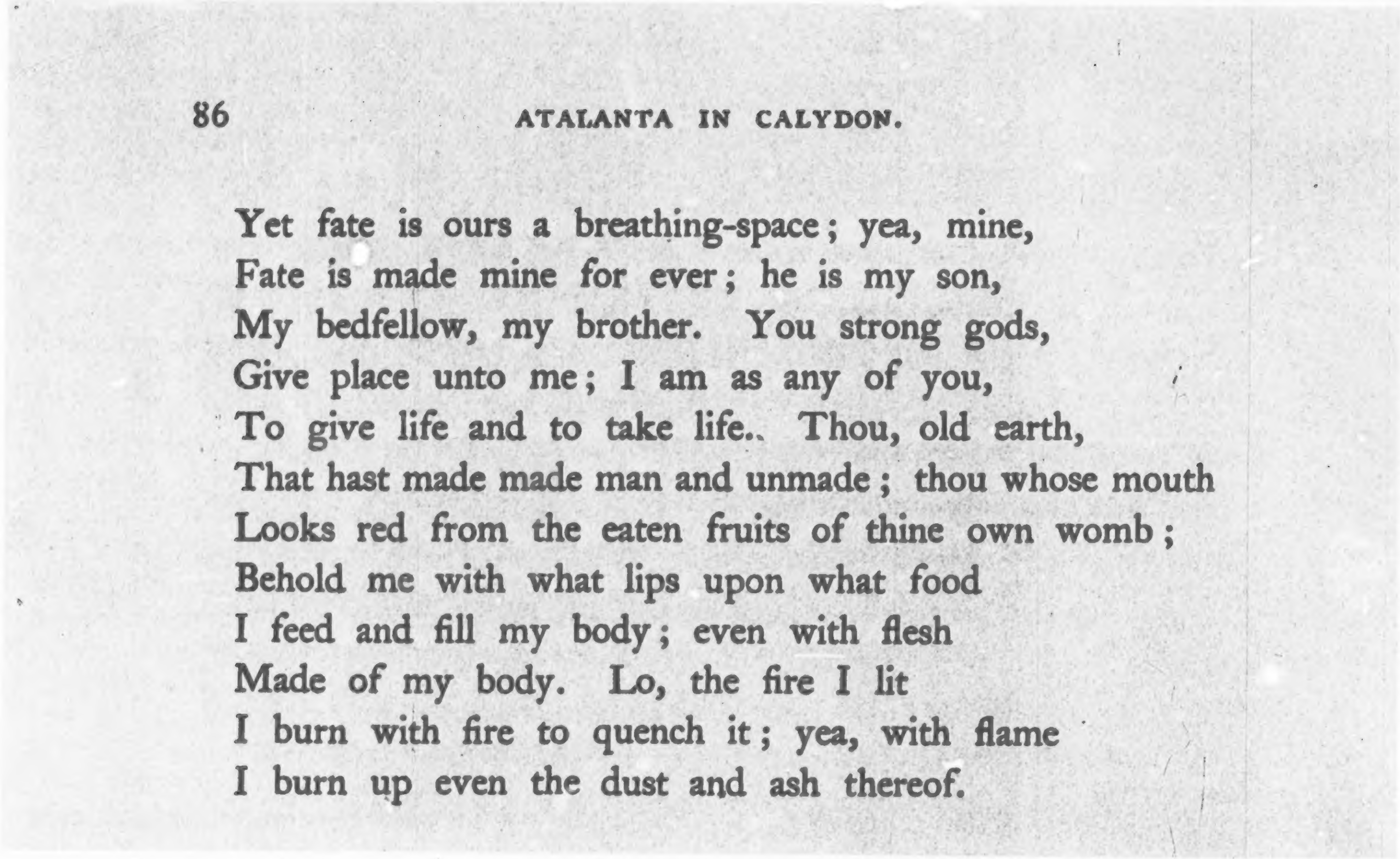
Clearly Rosenwald was not a collector of insignificant books. In looking at books in terms of their quality and significance, he deliberately avoided collecting anything exhaustively. Even in his great specialization, William Blake, he had a clear view of Blake's unevenness as an artist. One of the books he acquired in 1929 from the William A. White Collection was a copy of William Hayley's *Ballads*, illustrated by Blake, in parts with the original paper covers. Noting that in this form the ballads are "of the utmost rarity, if not unique," Rosenwald added, "they also have the distinction of being among the worst ballads ever published and contain the poorest illustrations ever done by William Blake."[26] So much for rarity as a thing in itself and exhaustive comprehensiveness as a goal for his collection. And yet there is one very strong bond between Rosenwald and the collectors who give ordinary books new meaning by placing them in new contexts: their shared interest in forming collections with scholarly potential. Throughout the years Rosenwald's belief in the importance of education was the ultimate principle shaping his collections.

In his memoirs, *Recollections of a Collector,*[27] and in his talks to collectors' groups Rosenwald gave advice to collectors which remained consistent over the years. His basic rule was: "Collect the best quality of anything which you can obtain."[28] If compromises must be made because of the rarity of what you are seeking, always know what you would like to have. At a time when he believed that he might never have a chance to obtain another copy Rosenwald purchased a, to use his own word, "miserable" copy of the first book illustrated with copper engravings, Antonio da Siena's *Monte santo di Dio* (Florence: Nicolaus Laurentii, 1477).[29] His pursuit of a perfect copy and his failure to obtain it, as a consequence of the ingratitude of Tammaro de Marinis, the owner at the time, is one of the mishaps described in his memoirs. He often told the story of that book, and I am quite sure that he would have been much happier if his "miserable" copy had never come his way. To his general belief in the importance of condition Rosenwald on other occasions added the following precepts, which he constantly put to use in his collecting:

1. Get to know as much about what you collect as possible.
2. Have an overall theme and stick to it.
3. Find a dealer you feel comfortable with and trust.
4. Be ahead of your time in your collecting interest.
5. Seize unusual opportunities when they present themselves.
6. Continuously refine your taste.

In his view, knowing about what you are buying is the central tool of the collector's trade. In summing up his advice to collectors in an interview, he used a tool as an example: "If you were going to buy a screwdriver you'd look around and buy the best screwdriver, a steel one, not one made of tin, wouldn't you?"[30]

Given his busy life, his interest in quality, and the rarity of what he was looking for, it is no surprise that Rosenwald's *Recollections* contain no accounts of treasures found in junk shops, attics, or barns. His sources were special offers from dealers who knew his interests, dealers' catalogs, auction lists, and books found through visiting such major antiquarian book dealers in the United States and Europe as the following



86 ATALANTA IN CALYDON.

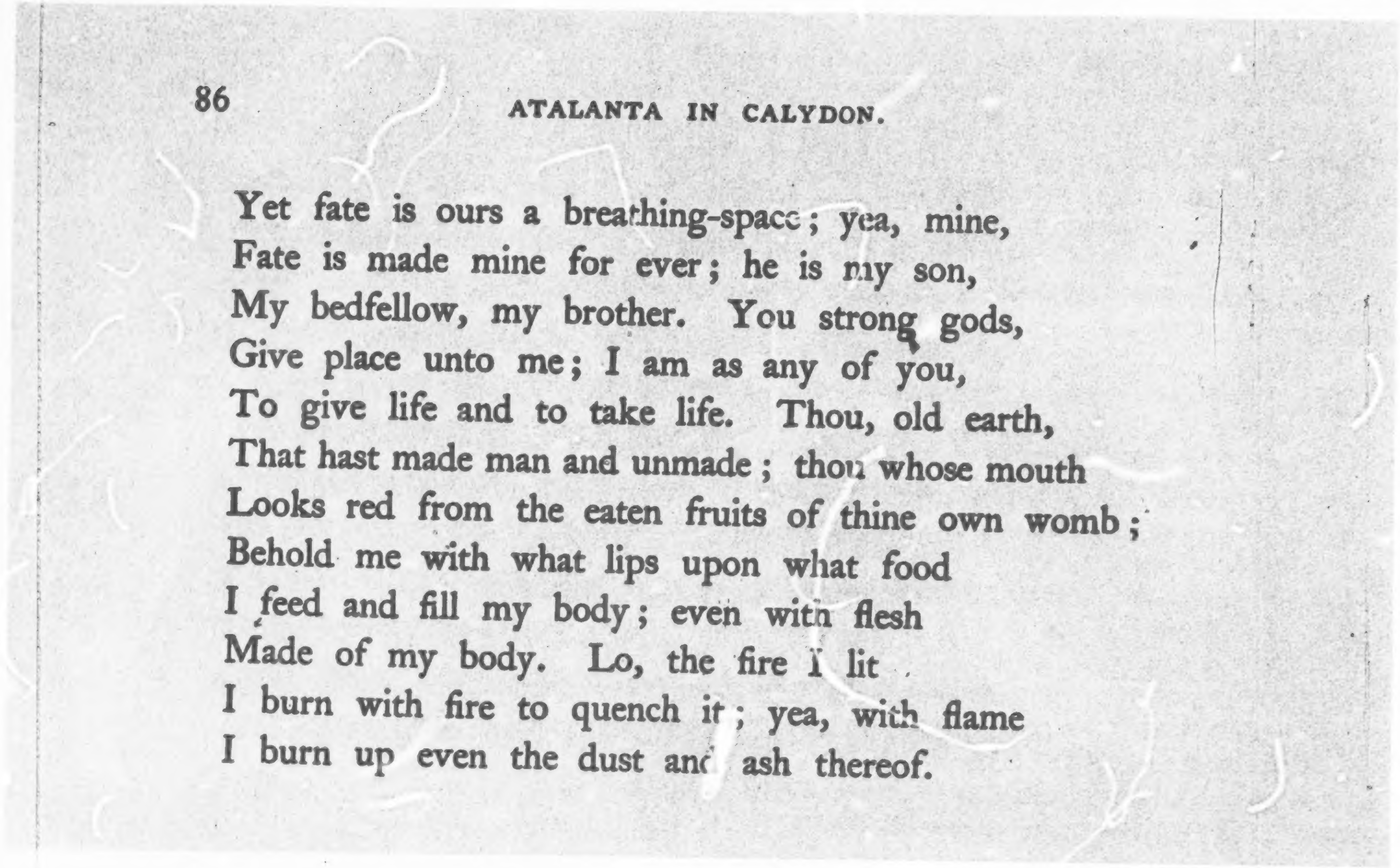
Yet fate is ours a breathing-space; yea, mine,
Fate is made mine for ever; he is my son,
My bedfellow, my brother. You strong gods,
Give place unto me; I am as any of you,
To give life and to take life.. Thou, old earth,
That hast made made man and unmade; thou whose mouth
Looks red from the eaten fruits of thine own womb;
Behold me with what lips upon what food
I feed and fill my body; even with flesh
Made of my body. Lo, the fire I lit
I burn with fire to quench it; yea, with flame
I burn up even the dust and ash thereof.

*Original printing of page 86 of the first edition of* Atalanta in Calydon, *showing the error in line 6 which caused the leaf to be canceled. From the private collection of John S. Mayfield.*

were a cancel, and the letters on page 108 were in perfect alignment. This copy added little or nothing to what I had already gleaned from the previously acquired copies, other than to convince me that there was some kind of a haphazard pattern followed by the printer in the method of correcting the typographical errors. What I was still looking for was an uncorrected copy, particularly one with the original leaf containing pages 85 and 86. I had not revealed the secret of my search to anyone, but was hoping and praying that such a copy would turn up in the hands of an unsuspecting dealer. There must be one out there somewhere, and I cast my net wider and farther.

Santa Claus (or Saint Nicholas, the late Bishop of Myra) in company with the Divine God of Book Collectors must have taken pity on me for my suffering and distress and decided to spare me from more torment, for on Christmas Morning 1944 I received copy no. 9, and it was precisely the one for which I had been searching. In the original binding, it had all the errors uncorrected.

It came from Jack Heit, doing business as a rare book scout out of 10 Monroe Street, New York City, to whom I had written through his advertisement in the *New York Times* some weeks previously. In this copy were pencil markings next to the errors I had noted, and in addition throughout the book were numerous notations relating to other errors, small though not entirely inconsequential, I had failed to detect. It was as if Richard Barrett, the printer himself, had gone through this particular copy and marked all the errors he had noticed. In fact, I have since come to the belief that this was Barrett's own copy, and that somehow or other it got out into public circulation. There were no signs of former ownership, and Heit's subsequent efforts to establish the provenance were of no avail beyond the dealer from whom he



86 ATALANTA IN CALYDON.

Yet fate is ours a breathing-space; yea, mine,
Fate is made mine for ever; he is my son,
My bedfellow, my brother. You strong gods,
Give place unto me; I am as any of you,
To give life and to take life. Thou, old earth,
That hast made man and unmade; thou whose mouth
Looks red from the eaten fruits of thine own womb;
Behold me with what lips upon what food
I feed and fill my body; even with flesh
Made of my body. Lo, the fire I lit
I burn with fire to quench it; yea, with flame
I burn up even the dust and ash thereof.

*Corrected version of page 86 on the substitute leaf. Rare Book and Special Collections Division.*

had purchased the copy for me.

So it was that at last I was able to satisfy my curiosity and determine what the errors were before they had been corrected.

On page 50, the corrected line 2 read:

> But all the floors are paven with our pain.

The erroneous original printing had been:

> But all the floors are graven with our pain.

On the same page, the corrected line next to the bottom commenced with the phrase:

> Lest all these change,

which was printed originally as:

> Lest all these changes,

On page 73, sometimes *mv* was corrected by adding a tail to the *v* to make it *my*; sometimes it was overlooked, and left to stand as *mv*.

Nothing could yet be determined about the three leading letters on page 108, since the variations in the nine copies had not been noticeably significant.

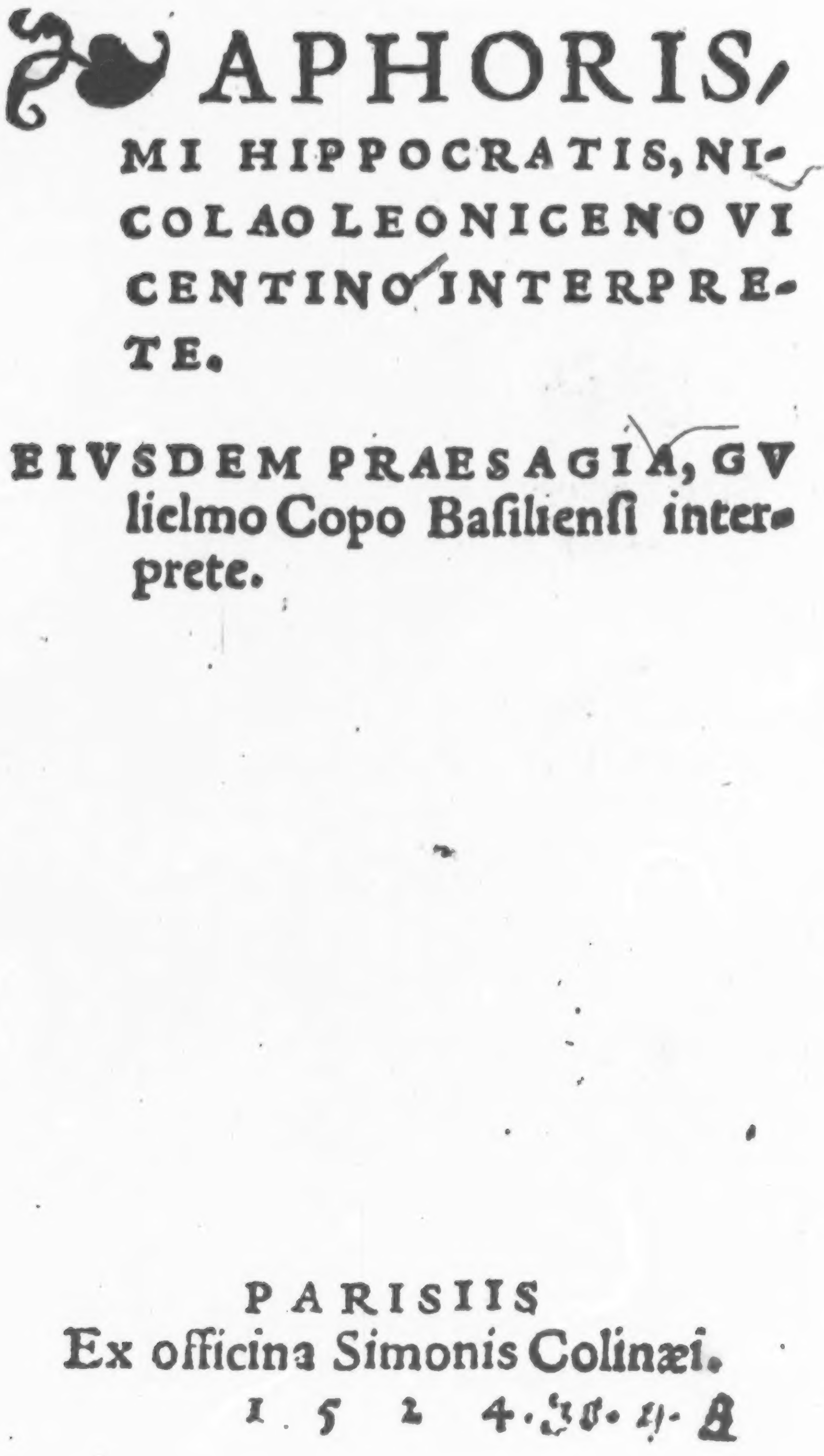
An examination of pages 85 and 86 in copy no. 9 revealed immediately the reason for the cancel. On page 86, the leading phrase of line 6 had appeared originally as:

> That hast made made man and unmade;

which could not be corrected by erasing, so the line had to be amended by removing a *made*, reprinting the two pages, and tipping in the substitute leaf.

Throughout this copy there were twenty pencilings marking additional errors, some of them so faint as to be almost undetectable. When I first looked into this copy I found bits of a green rubber eraser between the leaves, and this may be evidence that an attempt had been made to obliterate some of these markings.

The discovery and recovery of copy no. 9 established the hitherto unknown fact that the first edition of *Atalanta in Calydon* actually con-

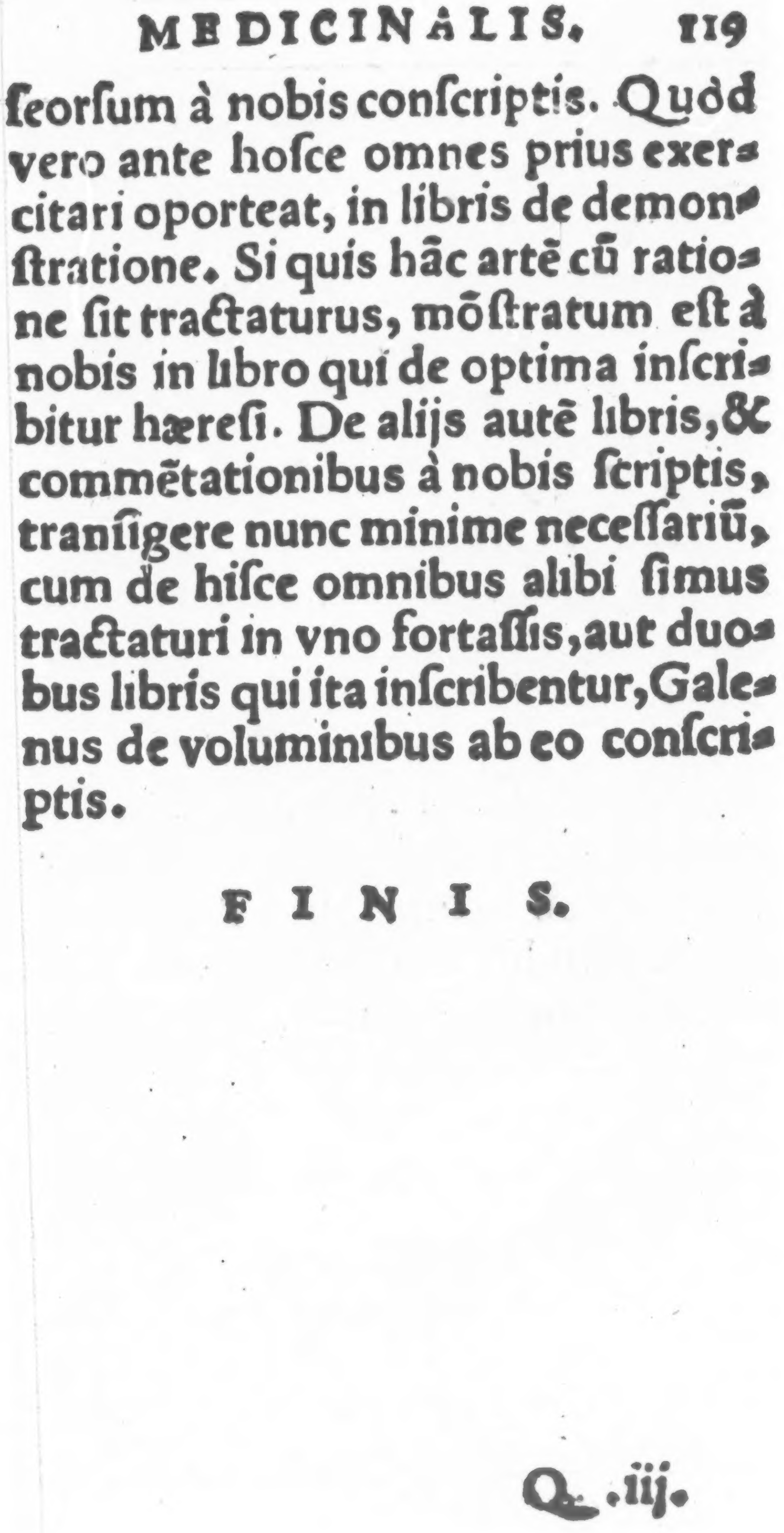


APHORISMI HIPPOCRATIS, NICOLAO LEONICENO VICENTINO INTERPRETE.

EIVSDEM PRAESAGIA, GVlielmo Copo Baſilienſi interprete.

PARISIIS
Ex officina Simonis Colinæi.
1524 · 3[illegible] · [illegible] · B

Aphorismi Hippocratis *(Parisiis: ex officina simonis Colinaei, 1524). Courtesy of the National Library of Medicine.*



MEDICINALIS. 119

ſeorſum à nobis conſcriptis. Quòd vero ante hoſce omnes prius exercitari oporteat, in libris de demonſtratione. Si quis hāc artē cū ratione ſit tractaturus, mōſtratum eſt à nobis in libro qui de optima inſcribitur hæreſi. De alijs autē libris, & commētationibus à nobis ſcriptis, tranſigere nunc minime neceſſariū, cum de hiſce omnibus alibi ſimus tractaturi in vno fortaſſis, aut duobus libris qui ita inſcribentur, Galenus de voluminibus ab eo conſcriptis.

FINIS.

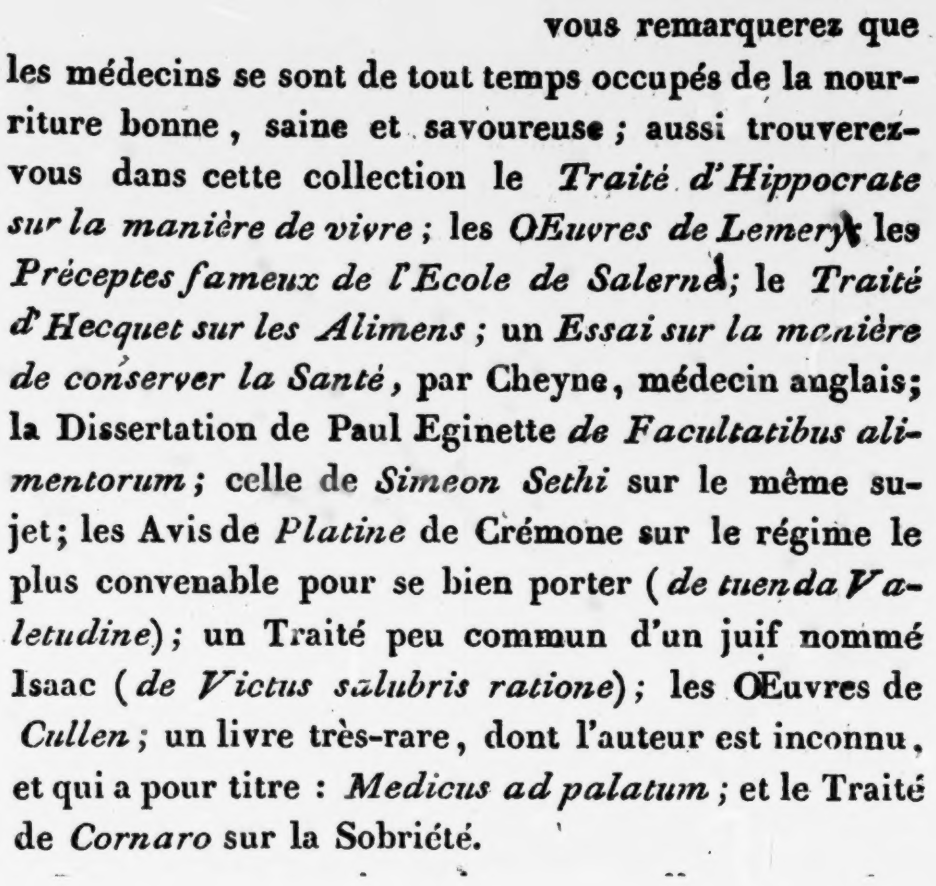
Q.iij.

*Colines promises an improved edition. Courtesy of the National Library of Medicine.*

sure place in architectural literature for this glossary of Latin terms, but Nourry knew and interested the Bittings in the chapters on the kitchen and the dining room, and perhaps the discussion (Book II, chapter 3) of wine, the "gratissimus liquor" whose abuse makes men lose first their legs and then their reason.

Nourry I think too much the good gastronomic bookseller himself not to know that he had a literary prototype in Cadet de Gassicourt's *Cours gastronomique* (Paris: Capelle et Renand, 1809). In chapter 26, entitled "Gastrologie," the gastronomic bookseller (whom we shall call the gastrologist) explains that he seeks out not only those authors who treat of gastronomy *en professo* but also those who have devoted a few pretty pages to the subject. This eclecticism explains Mr. Bitting's purchase, say, of Ashmole's *Order of the Garter,* where the gastronomic interest is in the elaborate description of the feasts of that order. In addition, the titles recommended by Cadet de Gassicourt's gastrologist are so often found in the Bitting Collection as to suggest strongly something more than coincidence. This can be demonstrated by collating, so to speak, the Bitting titles against the paragraph in "Gastrologie" talking about the doctors' concern for food that is reproduced in our illustrations.

Fittingly, the first of the gastrologist's recommendations is to the father of medicine. To represent Hippocrates, the Bitting Collection adds to the 1530 Colines Raymond Restaurand's *Hippocrates De natura lactis* (Lugduni: Apud S. Vitalis, 1682) and Charles Lorry's *Essai sur les alimens, pour servir de commentaire aux livres diététiques d'Hippocrate* (Paris: Impr. de Vincent, 1757). Restaurand not only accepted Hippocrates's injunction against milk but advocated the observance of all the Hippocratic doctrines in their pristine entirety. The writings of Lorry and Restaurand illustrate the process by which Hippocrates became a kind of secular saint. Of Louis Lémery's work, which in the London edi-



vous remarquerez que les médecins se sont de tout temps occupés de la nourriture bonne, saine et savoureuse; aussi trouverez-vous dans cette collection le *Traité d'Hippocrate sur la manière de vivre*; les *OEuvres de Lemery*; les *Préceptes fameux de l'Ecole de Salerne*; le *Traité d'Hecquet sur les Alimens*; un *Essai sur la manière de conserver la Santé*, par Cheyne, médecin anglais; la Dissertation de Paul Eginette *de Facultatibus alimentorum*; celle de *Simeon Sethi* sur le même sujet; les Avis de *Platine* de Crémone sur le régime le plus convenable pour se bien porter (*de tuenda Valetudine*); un Traité peu commun d'un juif nommé Isaac (*de Victus salubris ratione*); les Œuvres de *Cullen*; un livre très-rare, dont l'auteur est inconnu, et qui a pour titre : *Medicus ad palatum*; et le Traité de *Cornaro* sur la Sobriété.

*Ch.-L. Cadet de Gassicourt,* Cours gastronomique, or, les diners de Manant-Ville, ouvrage anecdotique, philosophique et litteraire *(Paris: Capelle et Renand, 1809), p. 279.*

*The pertinent section reads: ". . . you will note that doctors have always been concerned with good, healthful, and tasty food; and so you will find in this collection the* Treatise on the Way to Live *of Hippocrates; the* Works *of Lemery; the famous precepts of the School of Salerno; Hecquet's* Traité sur les alimens; *an* Essay on the Manner of Preserving Health *by the English doctor Cheyne; Paulus Aegineta's dissertation* De facultatibus alimenartum; *that of Simeon Sethi on the same subject; the counsels of Platina of Cremona on the regimen most suitable for preserving health (de tuenda Valetudine); the uncommon treatise of a Jew named Isaac (de Victus salubris ratione); the works of Cullen; a very rare book of an unknown author entitled* Medicus ad palatum; *and the treatise of Cornaro on sobriety."*

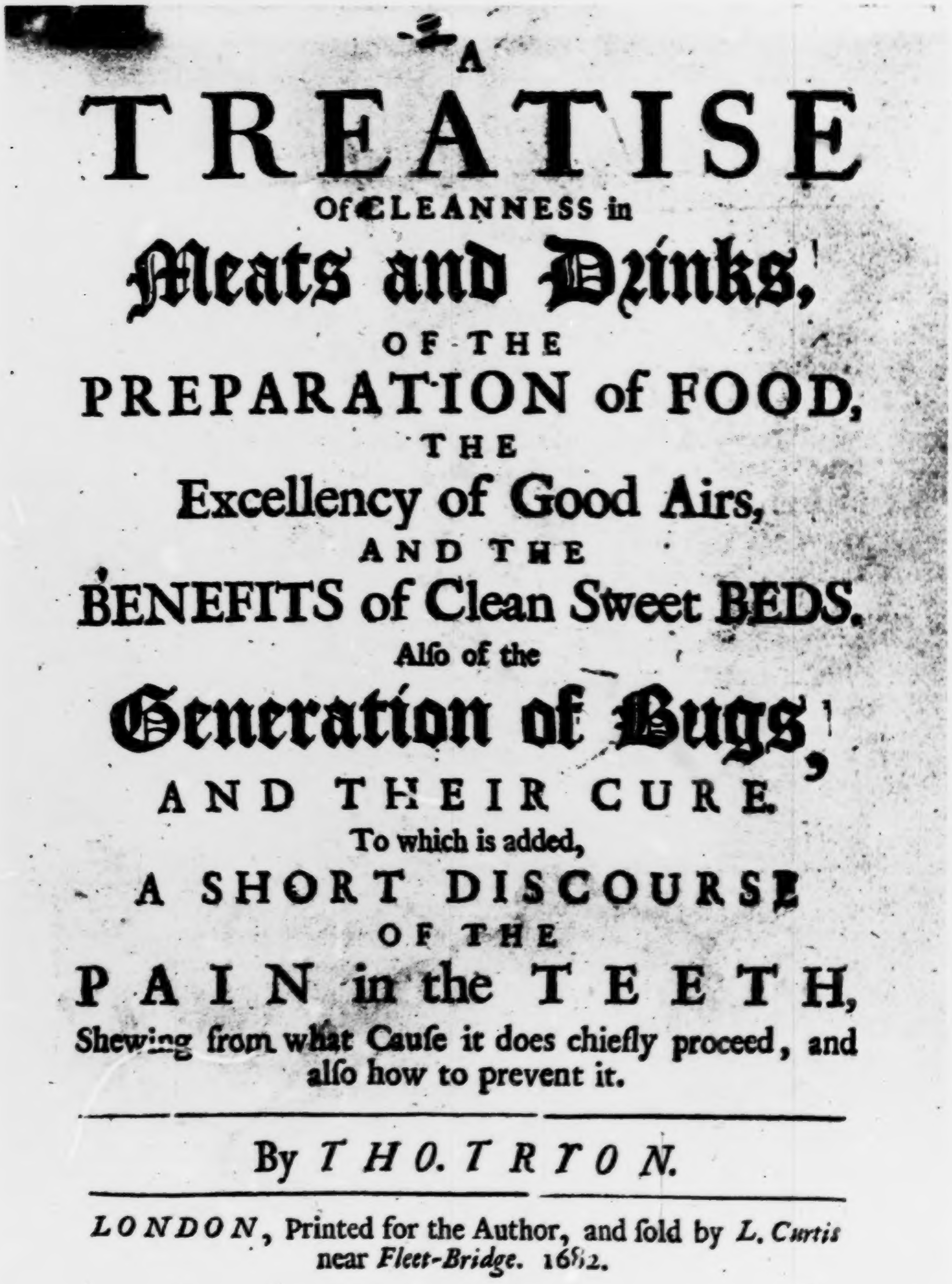
tion of 1704 is called *A Treatise of Food, in General* the Bitting Collection has a second London edition (1745) and 1705 editions from Paris and Venice. The author, one of the physicians of Louis XIV and a teacher of chemistry, obviously satisfied an international want, but his lasting distinction may be that his is the only book on digestion mentioned by Carême.

Of "the famous *Precèptes* of the School of Salerno," the Bitting Collection has a sixteenth-century Latin version—*Medicina Salernitana* (Geneva: I. Soer, 1591)—and a seventeenth-century French version—*Le regime de santé de l'Escole de Salerne* (Paris: N. et I. de la Coste, 1649). The key precept is surely: "Se tibi deficiant medici, medici tibi siant / Haec tria: mens hilaris, requies moderata, dieta." The translation given in Sir John Harington's *The Englishmen's Docter* [sic], not in these collections, is "Use three physicians still, first doctor Quiet, / Next doctor Mery-man, and doctor Dyet." Sir John is introduced so that we may also repeat his apt characterization of the School of Salerno as "a little Academie where every man is a graduate, and can proceed doctor in the ordering of his owne bodie." Like the other works on personal hygiene in the Bitting Collection, the *Regimen sanitatis Salernitanum,* as the work is best known, was intended for the layman, not the practitioner. Its doctrine is Galen's non-naturals again: man's health is man's responsibility; man's proper concern is care, not cure. The rough verse of the *Regimen sanitatis Salernitanum* is easily committed to memory so its precepts became proverbial wisdom. Possibly no other secular text has exercised so pervasive an influence on the conduct of daily life.

The gastrologist's tongue slips in attributing to Philippe Hecquet a nonexistent *Traité sur les alimens.* What is meant is surely the *Traité des dispenses du carême* (Paris: F. Fournier, 1709), which goes beyond praising the observance of Lent to demonstrate, as the title says, "les rapports naturels des alimens maigres avec la nature de l'homme." The wits mocked Hecquet with the dry, La Rochefoucauld-like maxim that "a dietetic regime is a tedious sickness"; Le Sage satirized him savagely in the character of Dr. Sangrado in *Gil Blas.* Hecquet seems to have been the original butt of the stories about the doctor who goes to the kitchens of his patients to kiss the cooks for having made him wealthy. But the man was also doctor to Port Royal, director of La Charité, and dean of the Faculty of Medicine in Paris, to whose library he gave his great collection.

Another food reformer laughed at popularly but honored by his equals was George Cheyne, Hecquet's English contemporary. Cheyne was doctor to Hume and Richardson; Pope, the greatest poet and dyspeptic of the age, wrote Lord Lyttleton (December 12, 1736): "I love him as he loves Don Quixote, for the most moral and reasoning madman in the world." Once Falstaffian in figure, Cheyne reformed his own diet and then undertook to reform that of others in *An Essay on Health and Long Life* (London: G. Strahan, 1725). This work restates the Galenic non-naturals, somewhat modified to permit more consideration of what Cheyne called the "passions." Again the wits were merry because of Cheyne's ridiculous notion that water and milk are beverages, jeering "Suppose we e'en that milk is good, and say the same for grass, / The one for babes alone is good, the other for an ass." But there were ten editions of the *Essay* by 1740. In 1731, Sir John Arbuthnot, the most important physician of the time, who had at first been skeptical, published in agreement his very influential *Essay Concerning the Nature of Aliments and the Choice of Them* (in the Bitting Collection only in a French translation).

The earlier of the two Byzantine physicians recommended by the gastrologist, the seventh-century eclectic Paulus Aegineta, has already been mentioned in connection with the *De ciborum facultatibus* accompanying Giorgio Valla's *De tvenda sanitate.* He appears again, this time in the company of Apicius, in the Bitting Collection in a 1541 publication from the Lyons press of Gryphius. Here a translation of that book of Aegineta's *De re medica* which deals with the maintenance of health by the dietetic regime is presented as *De facultatibus alimentorum.* The eleventh-century Simeo Sethius diligently searched the literature and queried the travelers who were so numerous in old Byzantium. His *Syntagma per literarum ordinem, de cibiariorum facultate* (Basilae: apud Mich. Isingrinium, 1538) briefly and cogently considers from the point of view of their Galenic qualities some 159 ingredients, including the musk and hashish he had



A
TREATISE
Of CLEANNESS in
**Meats and Drinks,**
OF THE
PREPARATION of FOOD,
THE
Excellency of Good Airs,
AND THE
BENEFITS of Clean Sweet BEDS.
Alſo of the
**Generation of Bugs,**
AND THEIR CURE.
To which is added,
A SHORT DISCOURSE
OF THE
PAIN in the TEETH,
Shewing from what Cauſe it does chiefly proceed, and
alſo how to prevent it.

By *THO. TRYON.*

*LONDON*, Printed for the Author, and ſold by *L. Curtis*
near *Fleet-Bridge*. 1682.

*Thomas Tryon's first published work crammed all the topics announced on this title page into twenty-one pages: as Gibbon said of Tacitus, only a few pages, but the pages of Tryon. Franklin early shook off Tryon's dietetic regime, but the influence of his prose style may have been a lasting one. A mixture of visionary philosopher and dietician, Tryon was also a realist. Recognizing that men will drink, he devoted the first part of his Way to Get Wealth to "Directing How To Make 23 Sorts of English Wine, Equal to French."*

have been a German Dominican; the second is the Michael the Scot who was astrologer, doctor, and general Merlin at the Hohenstaufen court of Frederick II. He was also the "Auld Michael" of Sir Walter Scott's *Lay of the Last Minstrel.* The first of the four parts of the *Mensa philosophica* is on the gastronomical judgment of food and drink, the last on tales and pastimes with which to make merry at table. Someone has noted on the front endpaper of the Bitting copy that this work was called "libro giocondissimo e rarissimo" by G. B. Gallizioli's *Dell'origine della stampa e degli stampaturi di Bergamo*.[10]

Another littérateur in gastronomy recommended by the gastrologist is Erycius Puteanus (the Louvain professor Heinrich van der Put), who was thought extraordinarily prolific even in an age of great polygraphs. Sandys's *History of Classical Scholarship* dismisses his ninety-eight monographs with the comment "the topics treated in his Latin works are unimportant and he succeeded in his blameless intention of being *bonus potius quam conspicuus*."[11] His *Comus, sive Phagesiposia Cimmeria* (Louvain: Typis G. Rivi, 1611; Leiden: ex officina I. Navii, 1630) originates in that intention. In his inaugural address at Louvain University, he celebrated the high spirits of the young, then, fearful that he be accused of confusing high and alcoholic spirits, wrote a retraction. This he thought might be offensive to the high livers of Antwerp and so he wrote still another book, the very popular *Comus*, placing the characters in an imaginary land so that he might give his ideas of the good life without any possible offense to anyone.

Not recommended by the gastrologist, or, indeed, by anyone else, is the *Tractatus de butyro* of Martin Schoock, with which is bound the same author's *Diatriba de aversione casei* (Groningae: typis Johannes CöllenI, 1664). These pastiches of quotations on butter and cheese are part of a long series—other topics are herrings, truffles, and storks—written perhaps because of the "publish or perish" academic pressure existent even in the seventeenth century. This justly neglected professor of philosophy at Groningen was once important enough to be attacked by Descartes. Did the Bittings buy this book because P. Morton Shand's *A Book of Food*[12] calls this survey of cheese haters "a curious philosophical study" and associates it, curiously enough, with "the Schoolmen of the Middle Ages"?

Most interesting as a harbinger of the future of the literature is the little group of books on the dietetic regime in which the personality of the individual writer is discernible behind the screen of citations from the classics. In the twenty-two books of the Pennell copy of J. B. Bruyerin's *De re cibaria* (Lugduni: apud S. Honoratvm, 1560), each of which discusses exhaustively one type of food, the mass of classical citations is leavened by the writer's account of his own experiences and tastes. Nephew and successor to the great doctor Symphorien Champier, married into the family of the humanist Budé, Bruyerin was doctor to Henry II. Bruyerin anticipates Curnonsky and Rouff in taking the reader on a gastronomic tour of the provinces of France to demonstrate the great variety of the non-Parisian cuisines. *De re cibaria* is the essential tool used by Şăineanu's *La Langue de Rabelais*[13] to explain the words exploded in Rabelais's pyrotechnical description of Messer Gaster and the Gastrolators' worship of their "ventripotent god."

The *Trattato della natura de' cibi, e del bere* (Romae: B. Bonfadino, et T. Diani, 1583) of Baldassare Pisanelli of Bergamo, philosopher, doctor, astrologer, and botanist, was intended to "prepare . . . the intelligence of all those who require a perfect knowledge of foods, "so again the public envisaged was not an entirely professional one. Indeed, the second edition was published because of "the continued use and insistence of some princely gentlemen of this city." To facilitate consultation, the book is made up of schematic tables listing 138 foods under headings for their good and bad qualities from the point of view of Galenic humors and complections. Under the last heading, that titled "natural history," Pisanelli writes little models of conciseness, individualizing the expected classical references by comments on his own preferences. This description holds only for the Pennell first edition; the Bitting Bergamo edition of 1587 is only half the size of the first, and the Pennell Venetian edition of 1601 is even somewhat smaller.

A book annotated by Rabelais's friend Dr. Isaac Bassaler, the *Regimen sanitatis* of Robert Grospré was intended not only for doctors but

### [June 8]

Mr. Pinckney. Antient Republicks fell by their own turbulancy.

Mr. Madison. No Line can be drawn between the State Governments and the General Government.

Willson. Let Us forgett Local and narrow distinctions. Partial Evil must submit to general good.

Maddison. A power in the different States to ratify state Laws. What power is this to be? An individual! a Council! [indecipherable] a Bey or Bashaw. This Assembly must end in Anarchy. We must consider ourselves as One whole that may apply if our resources were common and equal.[29]

### [June 11]

Guery. Are we to enter into a Compact with Slaves. No! Are the Men of Massachusetts to put their hands in our purses. No! The Gentleman makes a Calculation of the possibility of four out voting 6. Are not the four bound by the same law. Well if you take the Blacks out of the Question in One way surely they ought in another. This Country will not pay in proportion to its wealth. The Gentleman says 3 10th pray is not that a Compact. The Gentleman says no Acct. of Blacks pray of what Acct. are the Number of White Inhabitants of Massachusetts to the southern states if they cant be brought therein to defend it.

### June the 14th

To postpone by Mr. Patterson

### 15th of June

### 16

Randolph. The Militia are Incompetent to the purposes of defence. It would be very difficult to persuade the Militia of One state to March into Another.

### [June 16]

Mr. Lancey. Without regard to wealth numbers or anything else.

Mr. Patterson. I came not here to sport sentiments of my own, but to speak the mind of my Constituents. perpetual is a word of Course as in Common Treaties of peace and Alliance. shall we alter the plans without any tollerable reason. One free man is equal to another but it is not a just deduction that one free State is equal to another. The Quantum of power will depend upon the justice of the Representation. Has Congress been composed of weak or bad Men. This is not a fair Question. speak of Measures not Men

Willson. Inequality in representation a poison that must destroy the whole.

Randolph. The Militia are incompetent to the purposes of defence. It would be very difficult to persuade the Militia of One State to march into another. This Argument was brought forward to prove the weakness of Congress.

### 18th of June

Col Hambleton. The Diet of Germany legislated on Individuals of the different Electoral Territories. Not only where they attempt to Contravene the Laws, established Laws of the Diet agreed to in the Diet. The States may be disposed to oppose the general Government and she is adequate to it. the defense the

Common Militia of a State is not adequate even to state defence as in Massachusetts foreign powers [indecipherable] disaffected states. A dispensation of honors in every state. No vigorous exertion without a distribution of honors in individual states. Men collectively he says are governed by passions. The states will be rivals of the General. No! Make it their Interest by Laws of General Equity and they will support the general Government. The Amphiction Council. as to those made of raising Money and extending the Quota. Quotas would destroy the whole because there is no standard duty on Exports. Staple states take care. Large states will not agree to the small ones to dispose of their property. We must then resort to Equity. Bad principles will produce their Effects. Troops cant be brought forward in proportion to the population. Men will try to extend their power. If the General Govt prevails the Individual must fall. In the British Constitution Individuals are best secured. What are Impressments. The Executive is above all temptation. is it proved so by the Conduct of the Kings of Britain Sweden Prussia. In Poland, he says there are great Barons who overawe. He will leave power in Individual States respecting Finance the power of carrying on War I am against it. witness the Stadholder.

### June the 23d [i.e., 25th]

Mr. Willson. Because a State Government ought to elect a general Government the general Government ought as well to appoint the State Governments. he objects to the state Governments having anything to do in electing the general Governments. The general Government is not to be considered as composed from different States. Commerce, he says must be common.

### June 24d [i.e., 26th]

Maddison. Each Interest ought to be represented. Property ought to be defended against the will of even the Majority. If we do not give it a just ballance or proportion of power, the Government can not last.

### June the 27th [i.e., 28th]

Williamson. States Cannot be taxed according to Numbers.
Sherman. It will not be reasonable that the Interior States should pay as much as the Commercial States.

### June the 29th

Ellsworth. The second Branch to be a Check on the first. To Establish a National Legislature that shall reach property. If We do not go upon a system that shall establish bad habits.

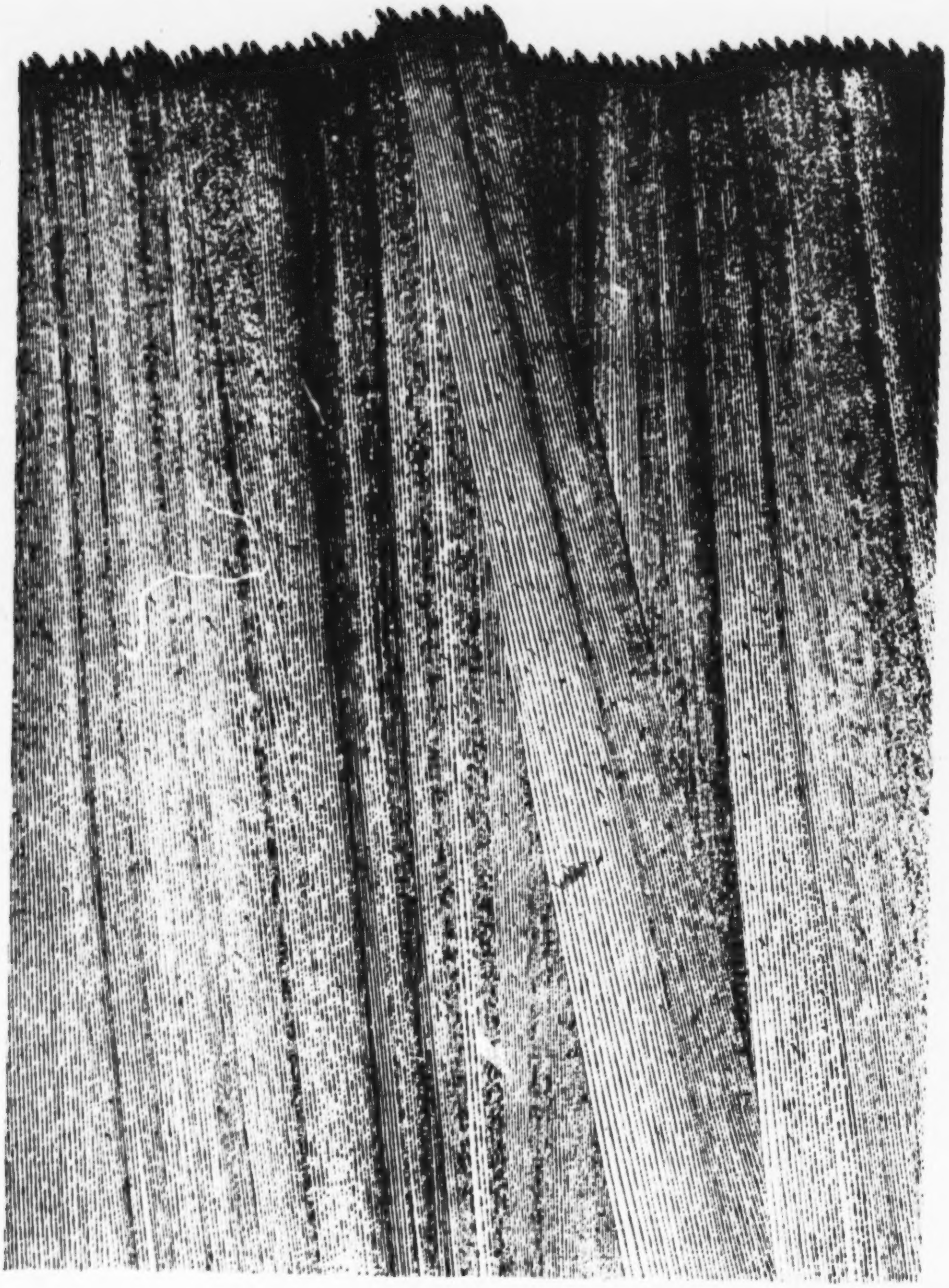
### July the 5th

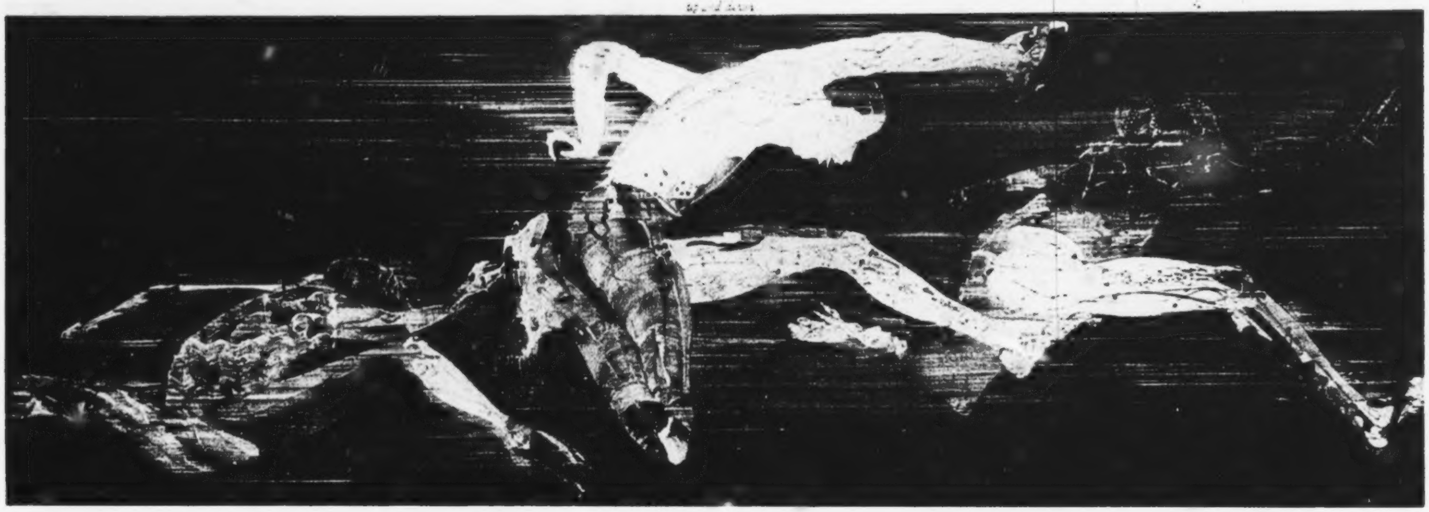
Maddison. By giving Negative to the 2d Branch they will finally govern the Republick.

### [Sept. 5?]

Pinckney. To be acquainted with the talents of the person elected. He would not vote for a good Man unless He thought He would be elected but he would vote for any Man that would be likely to turn out the President. No Sir

*Jiří John,* Reeds *(1971), drypoint.*





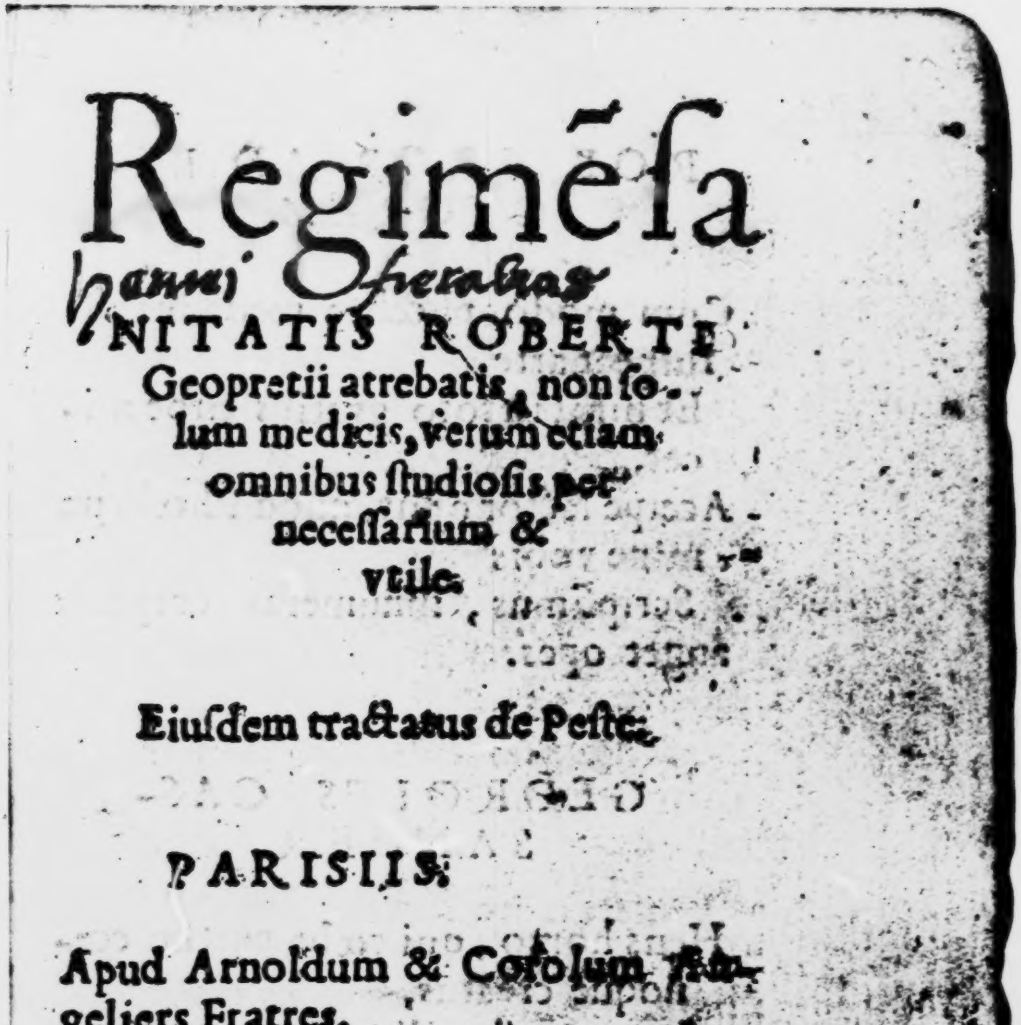
*Jiří Anderle,* Up and Down *(1971), intaglio.*

sions. Krejĉi and Kulhánek sometimes incorporate pop elements into their prints, a technique they learned about on a trip to Western Europe. Brunovský, Kulhánek, Gazoviĉ, and, one of the best-known Czech engravers, Jiří Anderle, engraved illustrations interpreting episodes in Monteverdi's Eighth Book of Madrigals—the Book of War and Love—for the *Ricercari* portfolio.

Among the few abstract artists are Cestmir Kafka (b. 1923), who works primarily in monotype, using muted tones, Ivan Chatrny (b. 19–), Dalibor Chatrny (b. 1925), and Jan Kubček (b. 19–), whose series of prints demonstrates the effects of colors upon each other.

By contrast, Jiří John's quiet, poetic treatment of natural phenomena touches us in a different way. John (1923–1972) may be known to Americans who visited Expo '67 in Montreal for the Gobelin tapestry he designed for the Czech Pavilion.

The virtuoso pieces engraved by Jiří Anderle (b. 1936) are among the finest currently being done anywhere in the world in this medium. His drawing skill has been compared to that of Leonardo da Vinci. Anderle's transparent figures, his references to artists of the past; and his philosophical meditation and psychological probings of people and of their games are executed with a mastery of line that is exceptional. He often does series, such as his homages to artists of the past—Watteau, Claude Lorrain,



Regimẽ ſa
Joannis [illegible]
NITATIS ROBERTI
Geopretii atrebatis, non ſo-
lum medicis, verum etiam
omnibus ſtudioſis per-
neceſſarium &
vtile.

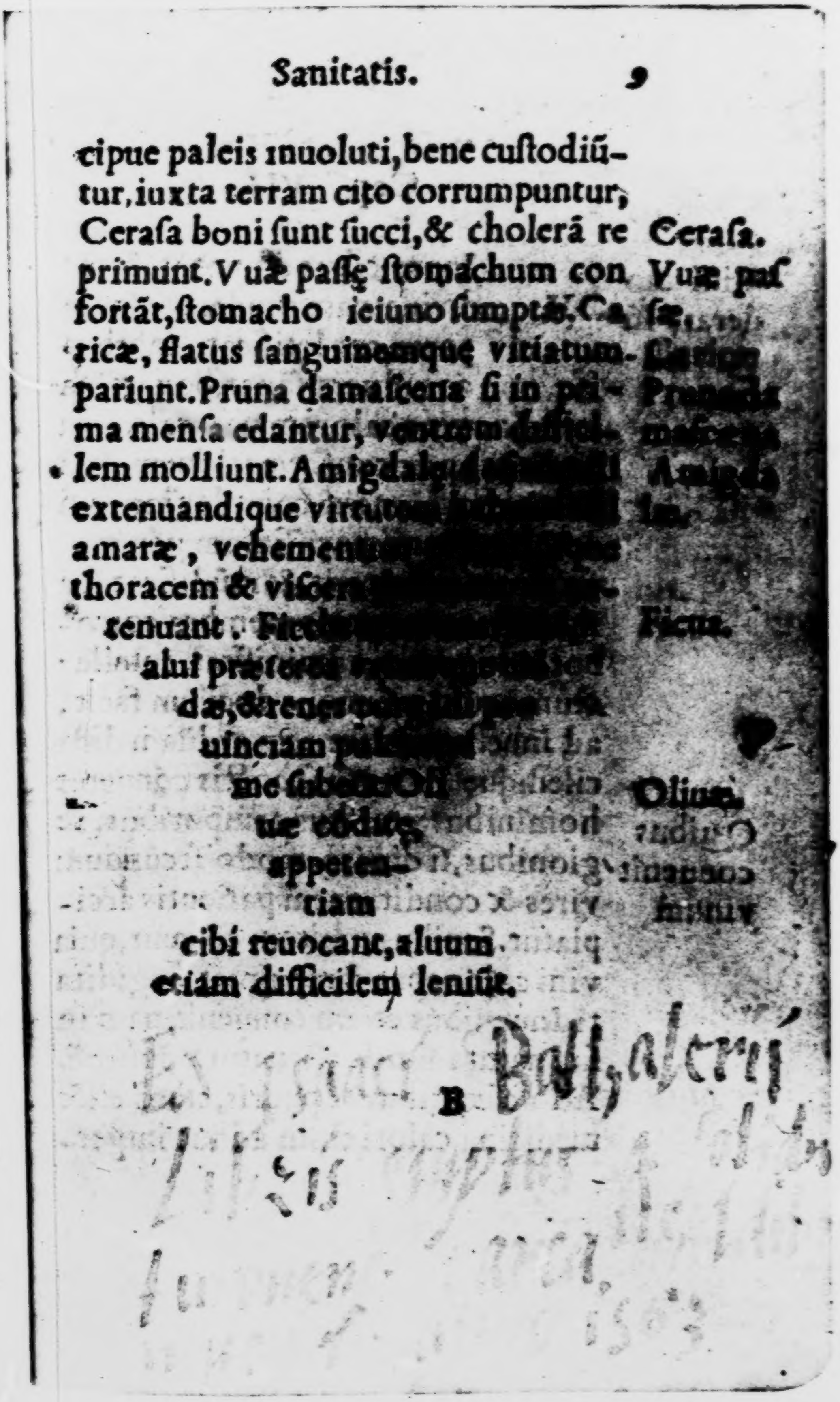
Eiuſdem tractatus de Peſte.

PARISIIS.

Apud Arnoldum & Corolum An-
geliers Fratres.

1540.

*Robert Grosprê,* Regimen sanitatis *(Parisiis: Apud Arnoldum & Corolum Angeliers Fratres, 1540).*



Sanitatis. 9

cipue paleis inuoluti, bene cuſtodiũtur, iuxta terram cito corrumpuntur, Ceraſa boni ſunt ſucci, & cholerã reprimunt. Vuæ paſſæ ſtomachum confortãt, ſtomacho ieiuno ſumptæ. Caricæ, flatus ſanguinemque vitiatum pariunt. Pruna damaſcena ſi in prima menſa edantur, ventrem difficilem molliunt. Amigdalæ [illegible] extenuandique virtut[illegible] amaræ, vehement[illegible] thoracem & viſcer[illegible] tenuant. Fic[illegible] alui præterea [illegible] dæ, & renes [illegible] uinciam [illegible] me ſubeunt. Oli[illegible] uæ conditæ appetentiam cibi reuocant, aluum etiam difficilem leniũt.

Ceraſa.
Vuæ paſſæ.
[illegible]
Pruna damaſcena.
Amigdalæ.
Ficus.
Oliuæ.

B

Ex [illegible] Baſſaleri
[illegible]
1563

*In recording in 1563 that he had sold this book, Isaac Bassaler wrote out his name.*

learned about from the foreigners.

Of the gastrologist's last five names, the Bitting Collection can represent only the first and last, Platina and Cornaro. The absence most to be regretted is that of Ishak ibn Sulaimor al Israil (Isaac the Jew), whose *Opera omnia* of 1519 also contains the first discussion of human laughter. Here, one is told, Rabelais found that "laughter is the nature of man (*rire est le propre de l'homme*)," a statement with which he prefaces *Gargantua.* The article in this journal establishing the relationship of Platina, the Vatican librarian who is the author of the first cookbook, and Maestro Martino was cited earlier.[1] The reader is referred to that article for its discussion of the fifteenth-century legitimatization of Epicureanism that is the cause, "necessary and sufficient," of Platina's pioneering venture. The Bitting Collection holds the 1503 and 1517 Latin editions of Platina published in Venice. In 1558, at the age of ninety-five, Luigi Cornaro completed the publication of the discourses that make up *Trattato della vita sobria.* Cornaro's doctrine of sobriety is perhaps best described as asking the application to the conduct of life of the principle of *misura*—harmony—that the Renaissance demanded of its art. In the Bitting Collection, Cornaro's Italian appears only in variations on the Latin version—*Hygiasticon* (London: Printed . . . and sold by C. Hitch, 1742) and *De la sobrieté et de ses avantages* (Paris: L. Coignard, 1701), by Leonardus Lessius, a theologian of Louvain admired as a moralist by St. François de Sales.

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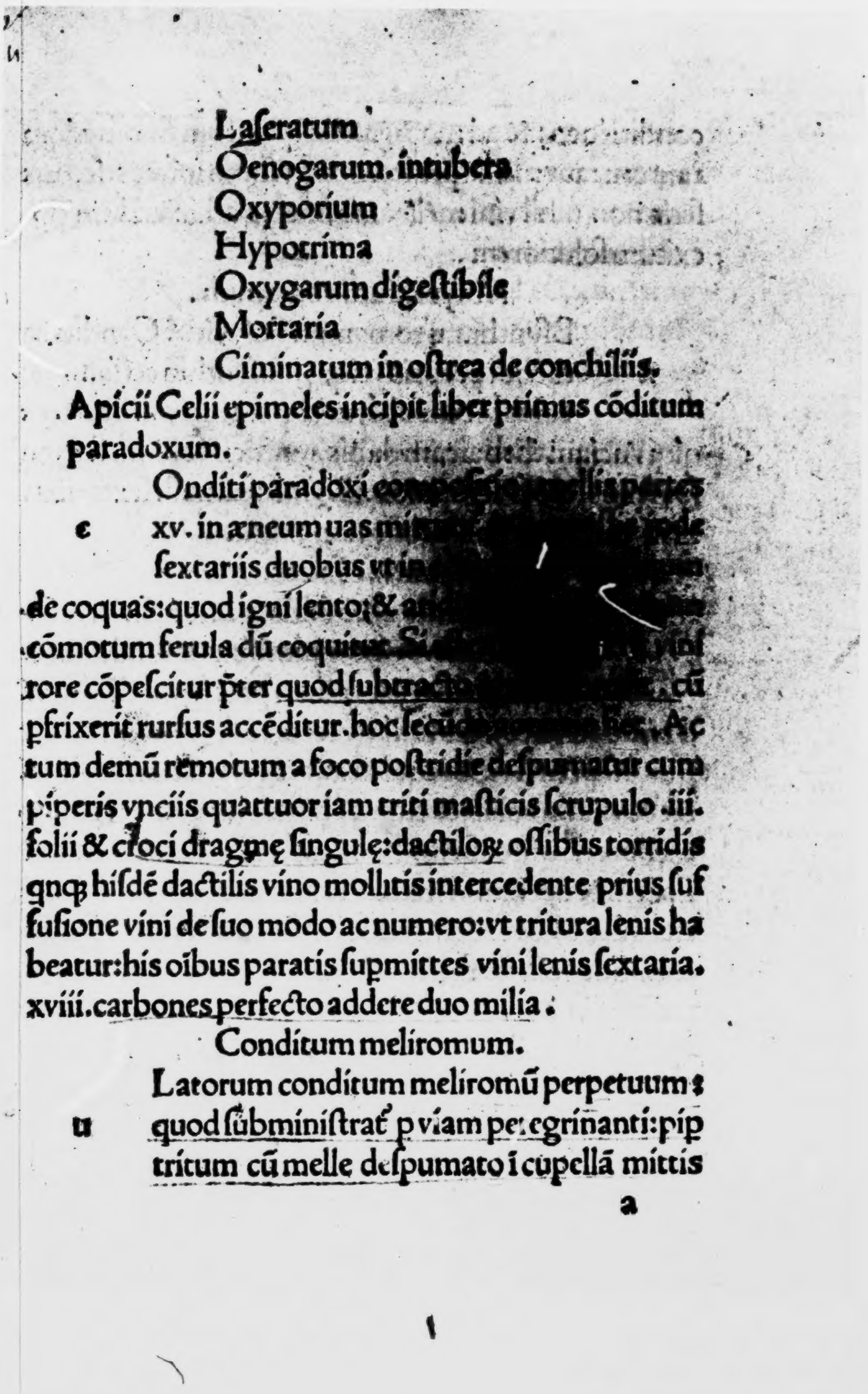
The gastrologist's structuring of a gastronomic library also calls for the humanist editions of the Latin and Greek classics of gastronomy. For the best known of these we leave the Bitting Collection momentarily. The Pennell Collection includes the first appearance in print of Apicius, the world's most famous cookbook author, who may have been any one of three persons and who, like Joe Miller, did not write the book for which he ever will be known. What has been handed down as *Apicius. De re coquinaria* embodies two ninth-century texts to which have been added excerpts from a Byzantine manual of the imperial period. The Pennell *Apicius* is accompanied by the Pennell *Schola apiciania* of Polynomus Syngrapheus (Francoforti: Apud Christianum Egonolphum, 1534)—unique in this country—which also lacks an individual author in the sense that it is a collection of excerpts from writers like Paulus Aegineta, Macrobius, and J.B. Pontanus. The subject is not Apicius but food and convivial dining. The first chapter states the theme: "The table is sacred to friendship and what refers to it must not be neglected."

The editor's preface to the *Deipnosophistae* of Athenaeus in the Loeb Series argues that this book is entitled to the place given to Apicius as the great cookbook of antiquity. The Bitting Latin and Greek *Deipnosophistae* (Lugduni: Apud Viduam A. de Harsy, 1612) is the four-year labor of Isaac Casaubon, an almost legendary classics scholar. Casaubon moved from Geneva to England, there to live in the intimacy of Bishop Lancelot Andrewes, whose copy of the *Deipnosophistae* now at Cambridge is of the same edition as the Bitting copy. The *Deipnosophistae* owned by Jefferson was the 1566 translation by Noel dei Conti from the Aldine Greek text, which, after examination, Casaubon rejected for use. Madame de Harsy's 1621 printing of *Animadversiones,* in which Casaubon justifies his text and his interpretations, is bound in with the Bitting *Deipnosophistae.*

Casaubon is reported to have regretted giving so much of his life to the editing of a work which lacked a serious moral concern. Indeed, the artists, actors, doctors, philosophers, and poets of the *Deipnosophistae* speak nothing at all of morals, although they speak a little bit of everything else. They talk of wines, of fruit, of gluttony and abstinence, of the food of the rich and of the poor, of the proper setting of a table and of the resemblances of the art of poetry and the art of cookery. Galen appears and is introduced as the physician who has written more than all his predecessors and "is capable as any of the ancients in the exposition of his art." As the guests vie in erudite allusion and recondite quotation, one learns for example that Cadmus, who gave us our alphabetical signs, was a cook. So cookery and letters have been associated from the very first. Dr. Folliot in Peacock's *Crotchet Castle* has the *Deipnosophistae* on the tip of his tongue, and clearly Peacock's talky novels were written



Laſeratum
Oenogarum. intubera
Oxyporium
Hypotrima
Oxygarum digeſtibile
Mortaria
Ciminatum in oſtrea de conchiliis.
Apicii Celii epimeles incipit liber primus cōditum
paradoxum.
Onditi paradoxi [illegible] mellis partes
e xv. in æneum uas mi[illegible]
ſextariis duobus vt in[illegible]
de coquas: quod igni lento & a[illegible]
cōmotum ferula dū coquitur [illegible] vini
rore cōpeſcitur p̄ter quod ſubtra[illegible], cū
pfrixerit rurſus accēditur. hoc ſecū[illegible]. Ac
tum demū remotum a foco poſtridie deſpumatur cum
piperis vnciis quattuor iam triti maſticis ſcrupulo .iii.
folii & croci dragmę ſingulę: dactilorꝫ oſſibus torridis
qnqꝫ hiſdē dactilis vino mollitis intercedente prius ſuf
fuſione vini de ſuo modo ac numero: vt tritura lenis ha
beatur: his oībus paratis ſupmittes vini lenis ſextaria.
xviii. carbones perfecto addere duo milia.
Conditum meliromum.
Latorum conditum meliromū perpetuum:
u quod ſubminiſtrat̄ p viam peregrinanti: pip
tritum cū melle deſpumato i cupellā mittis
a

*Apicius,* De Re Coquinaria *(Milan: Guillermus Le Signerre, 1498).*

*The title page of the Pennell Apicius is missing and with it the printer's designation, but this copy is established as one of the three American copies of the edition published in Milan on January 20, 1498, by Guillermus Le Signerre. The Pennell copy is still very handsome for the Roman type that William Morris used at the Kelmscott Press and for its wide margins on paper that time seems only to have mellowed. Dr. Franz Klotz and Dr. John Blackie, two great collectors, have left their names on the front endpapers. The word* paradoxi *shows the Greek origin of the first recipe; paradoxically enough, a recipe for a sugared wine that begins with honey* (mellis) *and also calls for pepper* (piperis).

for intelligent laymen who would find it "pernecessarium et utilis." This is a practical vademecum teaching how and what to eat, and how to distinguish the best from the better or the merely good. Grospré's prescription is always moderation. The Rosenwald copy of the first edition (Gandavi: I. Lambertus, 1538) carries a frontispiece portrait of Grospré not found in the Bitting copy of the 1540 Paris edition. The Hervé-Fierabras whose name appears on the title page of the Bitting copy was also identified by Jules Duhem as a friend of Rabelais. Hervé-Fierabras is registered as having matriculated in the Faculty of Medicine at Montpelier in November 1541, so he, like Rabelais and Bassaler, had received medical training.

The most appealing expression of the gastronomic spirit of the period may be the *Sermonivm convivialium libri x* . . . (Basilae: H. Petri, 1559) of Georg Pictorius (Joerg Mahler), town physician of Ensisheim in Alsace, that well-favored land. The model for Pictorius's exposition is the *Colloquia* of Erasmus; his *personae* are stock figures in the "banquet" tradition: the roguish Critor, the laughing Gelasius, Oenophilus the wine lover, and the lucky Faustus. With the deference due to Galen the conversation begins on the manner of staying healthy but goes on to praise the wonderful things that nature has given man to eat and the exquisitely sharp sense of being alive that wine can impart. The talk is that of men who like food and seek to express their appreciation to other men who like food. The classical scholarship is there, but it is there to be shared, not shown off. Professor Leo Élaut of Ghent University finds in the *Sermonvm convivialium* charming humanist overtones and a lyric imagery like that of Ronsard and the Pleiad. Perhaps the reader is best served here by referring him to Élaut's study of the manner in which a medical humanist like Pictorius transforms the diet book into an essay on gastronomy.[14]

◆

This section of this essay will conclude with a "Renvoi" to Cadet de Gassicourt's gastrologist, whose first recommendation for a gastronomic library was the classical agricultural writers, the *Scriptores rei rustica.* The Bitting Collection has sixteenth-century examples of this literature in the original: *Libri de re rvstica* (Paris: apud Joannem Parvum, 1543), Palladius's *De re rvstica* (Lyon: apud S. Gryphium, 1549), and in French translation Columella's *Les dovze livres* . . . (Paris: I. Keruer, 1556) and *Geoponica* (Poictiers: I. & E. de Manef frères, 1543). Intended for the Roman gentleman who lived on and from his estate, these manuals consider the "whole house," the *praedium* or *fundus,* as a self-contained unit providing its own food, brewing its own beverages, and spinning its own cloth. The Middle Ages wrote so little about the practices of agriculture that one wonders if the clerks were ashamed to confess knowledge or interest. The great exception is Pietro Crescenzi, who modified the classics in the light of his own experiences and those of his friends. The Bitting Crescenzi is the Italian version, *Le cose della villa* (Venetia: Appresso F. Rampazetto, 1564), prepared by Sansovino, himself an important printer and a member of Aretino's literary circle. The gastronomic interest of this edition of Crescenzi is limited to his discussion of viniculture (Chapter 4) and of the garden (Chapter 6).

The husbandry taught by Crescenzi and the classic writers was inevitably joined by housewifery when the lady of the house worked side by side with the servants in the brewery, buttery, kitchen, and stillroom. In England Thomas Tusser appended "Five Hundred Points of Huswifery" to the second edition (1561) of his *Five Hundred Points of Husbandry* (in these collections only in editions of 1848 and 1931), saying: "Housekeeping and husbandry, if it be good/ Must love one another, as cousins in blood." In 1623 Gervase Markham added *The English Huswife* to the *Countrey Contentments* he had written in 1615 to free English gentlemen farmers from reliance on non-English Romans or Greeks. Perhaps the differences between early modern and Roman manorial life were less important in France than in England. At any rate, Charles Estienne's *Praedium rusticum* (Lutetiae: apud Carolum Stephanum, 1554), after being translated and expanded by his son-in-law Jacques Liebault, had a continued popularity and usefulness in France demonstrated by the appearance of at least thirty-two editions by 1702. Works like Louis Liger's *Dictionaire (!) pratique*

(Paris: Paulus-du-Mesnil, 1722), J. Demachy's *Economie rustique* (Paris: Lottin le jeune, 1769), F.J. Rey Deplanazu's *Oeuvres d'agriculture et d'economie rustique* (Paris: Meurant, 1801), and Aglae Adanson's *La Maison de campagne* (Paris: Audot, 1821), most interesting because written by a woman for women, continue Estienne into the nineteenth century.

Greatest of the modern "whole house" books is *Le Theatre d'agriculture et mesnage des champs* (Paris: A. Sauvegrain, 1617) of Olivier de Serres, Seigneur de Pradel, where the best chestnuts grow. Serres is thought unexcelled in the description of the real and the ideal in farm life: the rhythm of the change of seasons, the living with animals, the soil as a Demeter-like goddess to be wooed. Serres's eighth chapter is entitled "De l'usage des alimens." Perhaps something of his luminous, flavorful style is communicated in these sentences: "After the necessary foods come those that aré useful and pleasant, that is to say, the preserves, so that the house does not lack food serving both to nourish the body and replenish the spirit. . . . These preserves please everyone with their exquisite preparations and rare beauties." This talk of food that replenishes the spirit seems not too far removed from Coleridge on "beautiful taste." The paragraph continues, "it will be here that the good lady of the house will find her delight in continuing to demonstrate the subtlety of her intelligence [*esprit*]." Serres's woman demonstrating her intelligence by the preparation of conserves recalls Mrs. Ramsay presiding over the *boeuf en daube* in Virgnia Woolf's *To the Lighthouse* or Proust's Françoise selecting the meat for her *boeuf à la gelée* like Michelangelo his marble. In addition to making this then novel recognition of the female presence in the kitchen, Serres completes Galen and Erasmus by tacitly assuming that gastronomy, if not an art itself, is a necessary part of good living, which is an art.

## NOTES

1. Leonard N. Beck, " 'Praise is due Bartolomeo Platina': A Note on the Librarian-Author of the First Cookbook," *Quarterly Journal of the Library of Congress* 32 (1975): 238–53.

2. Published in Paris by E. Paul, L. Huard et Guillemin, 1894.

3. René Sturel, "Rabelais et Hippocrate. (Notes bibliographiques)," *Revue des études rabelaisiennes* 6 (1908): 49–55; Roland Antonioli, *Rabelais et la médicine* (Genève: Libraire Droz, 1976). (Études rabelaisiennes, t. XIII).

4. *Phoenix Flame* 9 (1938): 10–12.

5. Oswei Temkin, *Galenism: Rise and Decline of a Medical Philosophy* (Ithaca and London: Cornell University Press, 1973), p. 40.

6. Samuel Taylor Coleridge, "Fragment of an Essay on Taste," *Biographia Literaria*, 2 vols. (Oxford: Oxford University Press, 1907), 2: 247–49). See also, Raimonda Modiano, "Coleridge's Views on Touch and Other Senses," *Bulletin on Research in the Humanities* 81 (1978): 28–41.

7. Published in Hamburg by I.C. Bohn, 1716.

8. *The Colloquies of Erasmus*, trans. Craig R. Thompson (Chicago and London: University of Chicago Press, 1965).

9. Avenir Tchemerzine, *Bibliographie d'éditions originales et rares d'auteurs français . . .*, 5 vols. (Paris: Hermann, 1975), 5:587.

10. Published in Bergamo by Locatelli, 1768.

11. John E. Sandys, *A History of Classical Scholarship*, 3 vols. (Cambridge: Cambridge University Press, 1908), 2:305.

12. P. Morton Shand, *A Book of Food* (London: Jonathan Cape, 1935), p. 236.

13. Published in Paris by E. de Boccard, 1922–23.

14. Leo Élaut, "Les Règles d'une gastronomie hygienique exposées par le médicin-humanist Georgius Pictorius," *Clio Medico* 3 (1968): 349–56.

*Mason's Suggested Revisions of the Constitution, August* [?], *1787*

The Council of State, instead of being formed out of the Officers of the great Departments—to consist of not less than five, nor more than seven Members, to be constituted and appointed by Law; or by 2/3ds. of the Senate, with a duration & Rotation of Office, similar to that of the Senate.

The Objects of the National Government to be expressly defined, instead of indefinite powers, under an arbitrary Constructions of general Clauses.

Laws disapproved by the Executive, not to be reinacted, but by a Majority of 2/3ds. instead of 3/4ths. of the Legislature.

No Laws, in the Nature of a Navigation Act, to be passed, but by a Majority of 2/3ds. of the Legislature.

since adopted } The Duties imposed upon Imports, by the National Government, to be the same in all the States.

The Legislature to be restrained from establishing perpetual Revenue.

Laws for raising or appropriating Revenue, or fixing the Salleries of Officers, to originate in the House of Representatives.

The Members of both Houses to be ineligible to Offices under the National Government; except to Commands in the Army or Navy; their Seats to be vacated by accepting such Commands, and to be ineligible during their continuance.

The President of the united States to be ineligible a second Time.

The power of making Treaties, appointing Ambassadors &c. to be in the Senate, with the Concurrence of the Council of State—or vice versa

The Appointment to all Offices, established by the Legislature, to be in the Executive, with the Concurrence of the Senate, or vice versa.

The power of granting pardons in the Executive not to extend to Impeachments, or to Treason—nor to preventing or staying process before Conviction & to be so expressly defined, as not, by any Construction to apply to persons convicted under the Laws & Authority of the Respective States.

The following is the Substance of a Clause, which was offered & miscarried in the Convention; it will come in very properly in the 5th. Section of the IV Article referred for reconsideration after the word *except*—"Bills for raising Money for the purposes of Revenue, or for appropriating the same, or for fixing the Salleries of the Officers of Government, shall originate in the House of Representatives, & shall not be so altered or amended by the Senate as to encrease or diminish the Sum to be raised, or change the Mode of raising, or to Object of its' Appropriation."

*Objections to the Constitution, August 30, 1787. Author unknown.*

August ye 30th

Objections to the Constitution as far as it has Advanced

1st. No privilige is given to the House of Representatives, which by the way are too few, in disposition of money; by way of counter ballance to the permenent condition of the Senate, in the circumstances of duration, power, & smallness of Number.

2d. The expulsion of members of the Legislature is not sufficiently Checked.

3d. The inequality of Voices in the Senate is too great.

4th. The power of Raising Armies is too unlimited.

5th. The sweeping Clause absorbs every thing almost by Construction.

6th. No Restriction is made on a Navigation Act and certain Regulations of Commerce.

7th. The Executive is One.

8th. The power of pardon is Unlimited.

9th. The appointment to Office will produce too great influence in the Executive.

10th. The Jurisdiction of the Judiciary will swallow up the Judiciaries of the States.

11th. Duties on Exports are forbiden but with the assent General Legislature of the U.S.

## NOTES

1. Max Farrand, ed., *The Records of the Federal Convention of 1787*, 4 vols. (New Haven: Yale University Press, 1934) is the most recent reissue.

2. *The Delegate from New York or Proceedings of the Federal Convention of 1787* (Princeton: Princeton University Press, 1939).

3. James H. Hutson, "Robert Yates's Notes on the Constitutional Convention of 1787: Citizen Genet's Edition," *Quarterly Journal of the Library of Congress* 35 (July 1978): 173–82.

4. Farrand to St. George L. Sioussat, February 21, 1943, Case Files, Manuscript Division.

5. John Bach McMaster, *A History of the People of the United States from the Revolution to the Civil War*, vol. 1 (New York: D. Appleton and Co., 1883), 420n.

6. Farrand, *Records*, 3:102.

7. Ibid., 3:97; 1:125.

8. John Fiske, *The Critical Period of American History 1783–1789* (Boston: Houghton Mifflin Co., 1916), p. 265.

9. Farrand, *Records*, 1:168.

10. Ibid., 3:419.

11. Oral communication with the author, March 28, 1979.

12. Farrand, *Records*, 3:82.

13. From John Quincy Adams, first editor of the Convention's *Journal*, onward; ibid., 1:xii.

14. Ibid., 2:417, 481.

15. Ibid., 3:263–64.

16. Assisted by C. C. Pinckney.

17. Farrand, *Records*, 2:437, 480–81.

18. Ibid., 2:636.

19. Ibid., 3:239–40.

20. Ibid., 2:326, 356.

21. Ibid., 2:368, 377. Note that Madison's version of Morris's motion differs from that in the *Journal* and in Butler's records.

22. Ibid., 2:352, 414.

23. Ibid., 2:453.

24. Ibid., 3:131.

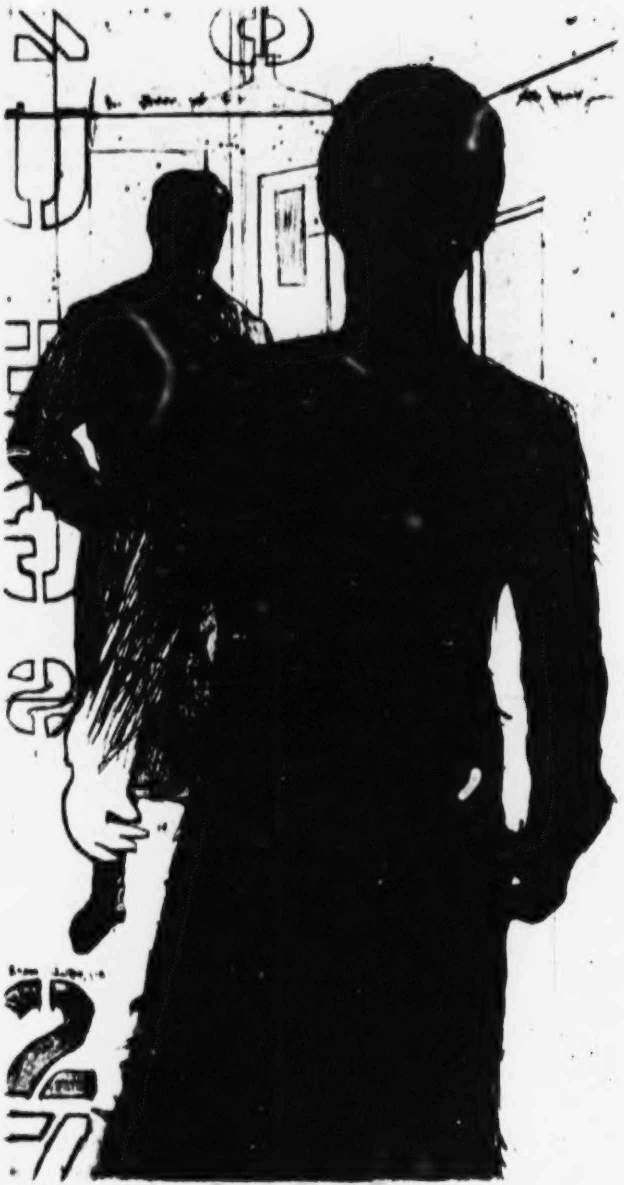
25. For references to advocates of a triple confederacy, see George Bancroft, *History of the Formation of the Constitution of the United States of America*, vol. 2 (New York; D. Appleton and Co., 1885), pp. 377, 379, 384, 410, 414.

26. Robert A. Rutland, ed., *The Papers of George Mason 1725–1792*, vol. 3 (Chapel Hill, University of North Carolina Press, 1970), pp. 974-75.

27. Farrand, *Records*, 1:34, 51.

28. Ibid., 3:282.

29. A slip of paper in Butler's records, not printed here, contains a few sentences which may have been gleaned from Gunning Bedford's speech of this day.



*Jiří Balcar,* Situace *(1966), drypoint.*

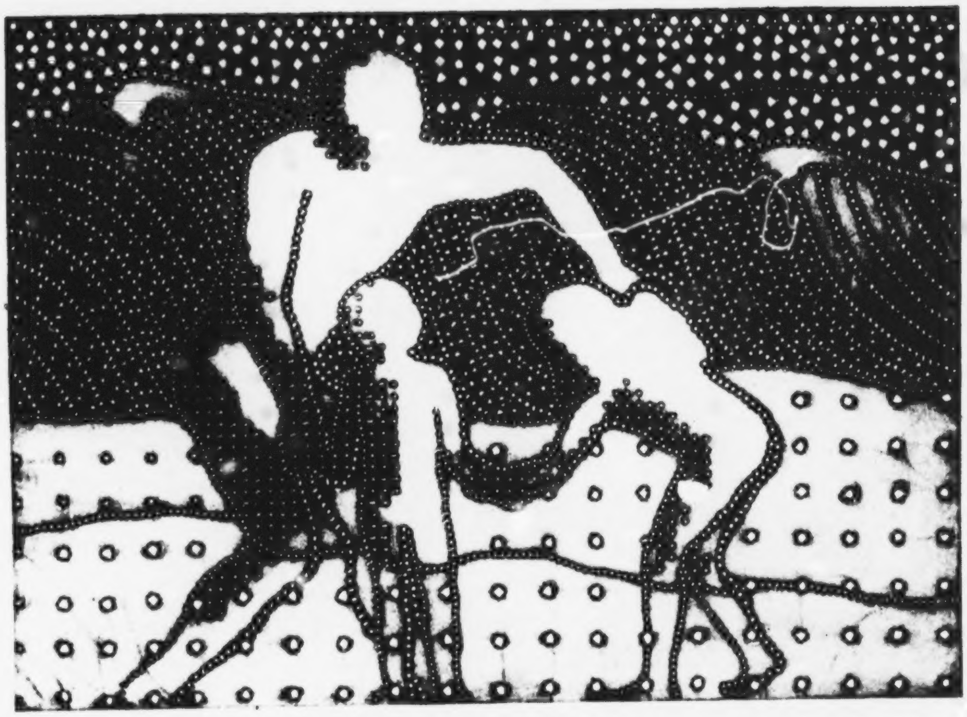
and Dürer—and his Games Cycle.

Jiří Balcar (1929–1968), who like John suffered an untimely death, first did abstract work. Later, changing his style, he began to portray faceless people who transmit a sense of anonymity, alienation, and loneliness. Balcar was active in organizing the artistic underground in Prague and it is believed he used his friends as models for his faceless figure studies.

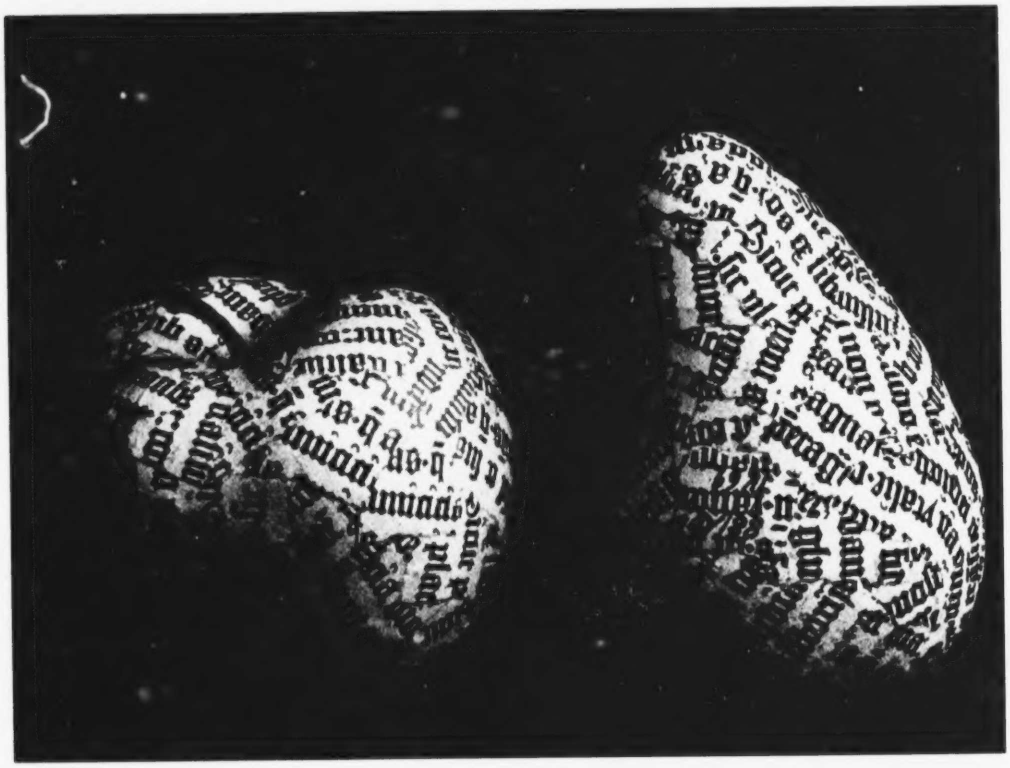
Alena Kučerová (b. 1935) is a technical innovator. Unable to afford copper plates, she used tinned plates or other available metal sheets. These, however, did not take engraving well so the artist instead punched holes in them, somewhat in the manner of the Renaissance goldsmiths, and printed from the resulting pattern. She is one of many Czech printmakers herein mentioned who has won prizes the world over for her work, including a top prize at the World Print Competition in San Francisco.

Possibly the artist who has been best known for the longest period of time is Jiří Kolář (b. 1914): poet, playwright, and artist. He represents an older generation and was internationally known before World War II. Unlike the others, he is a self-taught artist. As a youth he wanted to be apprenticed to a printer but the depression put a damper on the printing industry and made such apprentices unnecessary. Kolář worked instead first as a carpenter and then at odd jobs. His interest in poetry developed when he was a teenager. His first exhibition of collages was held in Prague in 1937. During the war years he published five volumes of poetry and thus became one of the leading Czech poets. After 1948 it was not possible for him to publish his poetry as some of it was declared subversive and in 1953 he was arrested. He served nine months of a twelve-month jail sentence but was paroled after Stalin's death.

Kolář's techniques include montage, collage, rollage (the reproducing of a work of art cut up and reassembled) and the use of chiasmaged objects, both low relief and free standing. He does not think of the crumpling of texts as a destructive process but rather as a questioning process, and the reassembling he sees as a process of renewal in which a new visual poetry is created. The apple is a recurring theme in his work and has a special significance for Kolář because his parents planted an apple tree to



*Alena Kučerová,* On the Seashore *(1969), perforated punched plate.*



*Jiří Kolař,* Apple *(1969) and* Pear *(1969), both chiasmaged objects.*

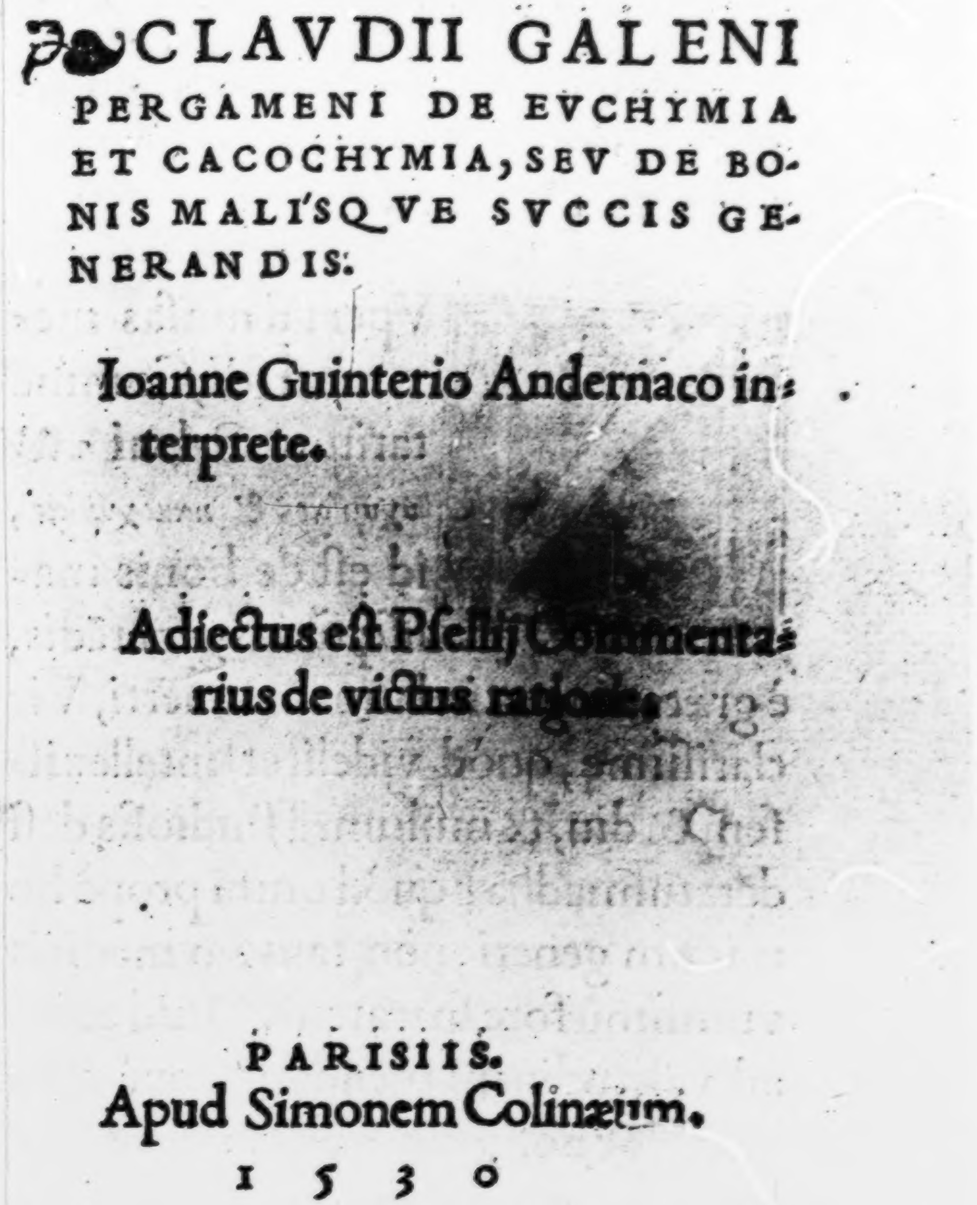
Indeed, it might be suggested that not only the 1530 edition but the Bitting copy of that edition has some association with Rabelais. A name that can be read as Isaac Bassaler appears on the title page of the Bitting copy. What seems to be the same name in the same hand appears in the marginal annotations of the Bitting copy of Robert Grospré's *Regimen sanitatis* (Paris: Apud A. & C. Angeliers, 1540), also previously owned by Duhem. The *Gastronomic Bibliography* description of the Grospré work quotes Duhem's identification of the marginalia writer as Isaac Bassaler, a doctor friend of Rabelais. Accepting this identification, one can go on to speculate that in their talks on a topic so interesting to both of them Rabelais would have learned about the 1530 Colines imprint and even have seen the copy owned by his friend Dr. Bassaler.

The medical humanism that was clearly expressed when Henri Estienne published collections of the Greek poets, historians, and doctors as of equal value is remarkably encapsulated in this sixteenmo of 1530. The translators were preeminent among the humanists dedicated to the recovery of Greek medicine; each of the translations was in its time the standard Latin, the *editio vulgata*, of the Greek original. In a letter to Boniface Amerbach (August 31, 1518), Erasmus named Leoniceno, Thomas Linacre, and Gulielmus Cop as the great renovators of medicine. Leoniceno, here the translator of the *Aphorismi* and Galen's *Ars medicinalis*, was professor of medicine as well as of Greek and had Linacre and Vesalius as pupils. His work on the *Ars medicinalis* is noteworthy because it cleansed the Galenic doctrine of "Arabization," its adulteration by Averroes. Cop, the physician from Basel who translated *De ratione victus* and *Praesagia*, was doctor to two kings of France and to Erasmus, who dedicated to him "De senectudis incommodis," a poem on old age. Least distinguished of the group is Andreas Brentius, whose version of *De humana natura* was used by Rabelais in 1532, but not reprinted by Colines in 1539. Constantine Lascaris, the translaor of *De flatibus*, is the author of the grammar that is the first printed Greek text. He can exemplify the exiles from Byzantium who brought the old manuscripts with them and taught their language to the scholars of the West.

Simon de Colines seems to have been sure that translations of Galen would interest the humanist public that was his market. Renouard lists for the period from 1520 to 1546 forty-six items by Galen from the Colines press as against two by Hippocrates and the same number by medical writers of the time. One of the Galens released by Colines in 1530 is the translation of Galen's diet book, the *De alimentibus facultatibus*, prepared by Joachim Martin, a humanist of Ghent. The Bittings' *Gastronomic Bibliography* misunderstood the title page ascription of authorship to "Ioachim Martino Gandavo" and created a ghost "Gandavo" as translator. Martin explains that he has been struck by the errors in the 1525 Aldine Galen which he as a disciple of Erasmus felt it imperative to correct. Martin's allegiance to the party of Erasmus is shown by the letter of September 15, 1528, in which the great humanist thanks Martin for sending some observations on his readings in Galen. Erasmus's own interest in Galen had been demonstrated by his translation of three little pieces from the Aldine text of 1525.

Another Colines's Galen of 1530, that *annus mirabilis* for the Bitting Collection, is the *De euchymia et cachochymia* translated by Guinter of Andernach, leader of the German humanists who, as if oblivious to the burgeoning vernacular, sought to make Latin the sole literary medium. Parenthetically, some three hundred years later Alexandre Martin, author of *Bréviaire de gastronome* (Paris: Audot, 1828), came across Guinter's manuscripts and called him the father of gastronomy for having invented more potages, ragouts, sauces, and coulis than ever Descartes discovered philosophical verities. Guinter's little half-vellum Galen also carries the *De victus ratione* of Psellus in a translation of Giorgio Valla. The English editor of Psellus, Francis Lamb, calls this author, reputedly the greatest scholar of eleventh-century Byzantium, a servile copyist of Galen like all the others after him except Averroes, who commonly differed from Galen by falling into error.

The eminent Renaissance student Professor Paul Kristeller has remarked on the surprisingly small number of humanists able to work in Greek. Another title by Valla in the Bitting Collection, his *De tvenda sanitate per victum* (Argentine: H. Sybold, 1528), illustrates the closeness of the connections of these men. This food-by-



CLAVDII GALENI
PERGAMENI DE EVCHYMIA
ET CACOCHYMIA, SEV DE BONIS
MALISQVE SVCCIS GENERANDIS.

Ioanne Guinterio Andernaco interprete.

Adiectus est Psellij Commentarius de victus ratione.

PARISIIS.
Apud Simonem Colinæum.
1530

*Galen,* De evchymia et cacochymia *(Parisiis: Apud Simonem Colinaeum, 1530).*

*This title page, with its leaf in the form of a heart and its skillful use of white space, is a reminder that Colines was intimately associated with Geoffroy Tory, whose Book of Hours he published in 1525. Colines had married into the Estienne family of printer-humanists. His own humanist sympathies are shown by his publication of Erasmus's* Colloquia *in 1529, despite the censure of that work by the Paris Faculty of Theology.*

Obſonatores ſerui primi à Macedonibus inuecti ſunt, eius artis ſtudioſis, miniſtri eiuſmodi, quia ſuppeterent ob infortunia ciuitatum quas in ſeruitutem redegerant. Coquum indigenam & ciuem Mæſona priſci vocauerunt, externum ac peregrinum Tettigem [a]. Chryſippus philoſophus Mæſona dictum putat ἀπὸ τοῦ μασᾶσθαι [b], velut inſcium, ac rudem, ventriq; deditum, ignarus Mæſona fuiſſe comœdiarum hiſtrionem, natione Megarenſem, inuentorem perſonæ quam ab eo vocant Mæſona, vt ſcribit Ariſtophanes Byzantius libro De perſonis, qui & eum tradit tum famuli perſonam excogitaſſe, tum coqui, ideoque meritò ſales conuenientes eiuſmodi perſonis vocari Mæſonicos. Dicaces enim ac irriſores præcipuè coquos fingunt & inducunt comici, vt Menander in Tutoribus [c], Philemon alicubi:

*Sphingem [d] marem, domum, non coquum*
*Adduxi: nihil prorſus per deos*
*Eorum intelligo quæ loquitur:*
*Noua is vocabula comminiſcitur.*

Polemon in libris ad Timæum ſcribit Mæſona fuiſſe quidem Megarenſem, verùm ex iis qui ſunt in Sicilia, non ex Niſæis [e]. Poſeidippus de ſeruis coquis in Excluſa ſic ait:

*Eiuſmodi ſunt hæc, mihi verò contigit*
*Miniſtranti apud herum modo quidpiam*
*Facetum, vt deprehenderer carnem ſurreptam auferens.*

Idem in Coalumnis:

*A. Extra fores prodiiſti, tu qui coquus es:*
*Incœnatus? B. Nondum hercle cœnaueram.*
*A. Quò tandem abiiſti? B. in forum, id facturus quod nunc facio.*
*Enim me eiuſdem opificij familiaris & notus quidam emit.* [f]

Itaque nihil abſonum, & ſacrificiorum olim peritos fuiſſe coquos, qui & nuptiis præficerentur, & ſacris [g]. Quamobrem Menander in Adulatore coquum inducit iuuenibus [h], qui ad epulas quarto menſis die coiuerant, miniſtrantem, in Veneris Publicæ [i] feſto, & ſic loquentem:

*A. Libandum: porrige mihi viſcera, heus tu aſſecla: quò intendis oculos?*
*Libandum: plura præbe, & quæ fas eſt.*
*Libandum. rectè eſt. Litauimus. Olympios iam precare deos.*
*Deas omnes cœleſtes precamur,*
*Interea tu lingua faue, nobis vt ſalutem dent,*
*Integram valetudinem, bona multa, & eorum quæ iam parta ſunt,*
*Lætum ac commodum vſum: ab omnibus hoc nos precamur.*

Apud Simonidem loquitur ſic alter coquus: Et quoties homo ille carnes in multa fruſta concidit, peritè quidem, etenim id probè didicerat. Ritus ſacrificiorum & ceremonias coquis notas fuiſſe palam eſt ex Olympiadis ad Alexandrum epiſtola: qua mater illum hortatur, coquum vt emat in ſacris faciundis exercitatum, his verbis: Pelignam coquum miſſum à matre tu habe. Scit ille omnia ſacra patria tua quo modo peragantur, & pu- [k], & Dicaſtica [l], & Bacchica, & alia prorſus omnia in quibus mater tua victimas immolat.

A δοῦλοι δ' ὀψοποιοὶ παρῆλθον ὑπὸ πρώτων Μακεδόνων τοῦτ' ἐπιτηδευσάντων ἢ δι' ὕβριν, ἢ δι' ἀτυχίαν τῶν αἰχμαλωτισθεισῶν πόλεων. ἐκάλουν δ' οἱ παλαιοὶ ‖ τὸν μὲν πολιτικὸν μάγειρον Μαίσωνα, τὸν δ' ἐκτόπιον Τέττιγα. Χρύσιππος δ' ὁ φιλόσοφος τὸν Μαίσωνα ἀπὸ τοῦ μασᾶσθαι οἴεται κεκλῆσθαι, οἷον τὸν ἀμαθῆ καὶ πρὸς γαστέρα νενευκότα· ἀγνοῶν ὅτι Μαίσων γέγονε κωμῳδίας ὑποκριτὴς Μεγαρεὺς τὸ γένος, ὃς καὶ τὸ προσωπεῖον εὗρε τὸ ἀπ' αὐτοῦ καλούμενον μαίσωνα, ὡς Ἀριστοφάνης B φησὶν ὁ Βυζάντιος ἐν τῷ Περὶ προσώπων, εὑρεῖν αὐτὸν φάσκων, καὶ τὸ τοῦ θεράποντος πρόσωπον, καὶ τὸ τοῦ μαγείρου. καὶ εἰκότως, καὶ τὰ τούτοις πρέποντα σκώμματα καλεῖται μαισωνικά. μάλιστα γὰρ εἰσάγονται οἱ μάγειροι σκωπτικοί τινες, ὡς παρὰ Μενάνδρῳ ἐν Ἐπιτρέπουσι. καὶ ‖ Φιλήμων δέ πού φησιν,

Σφίγγ' ἄρρεν' οὐ μάγειρον εἰς τὴν οἰκίαν
Εἴληφ'· ἁπλῶς γὰρ οὐδὲ ἓν μὰ τοὺς θεούς,
C Ὧν ἂν λέγῃ συνίημι, καινὰ ῥήματα
Πεπορισμένος γάρ ἐστι. ‖ τὸν δὲ Μαίσωνα Πολέμων ἐν τοῖς πρὸς Τίμαιον ἐκ τῶν ἐν Σικελίᾳ φησὶν εἶναι Μεγαρέων, καὶ οὐκ ἐκ τῶν Νισαίων. ἀλλ' ὅγε Ποσείδιππος περὶ δούλων μαγείρων ἐν Ἀποκλειομένῃ φησίν,

Ταυτὶ μὲν οὖν τοιαῦτα. συμβαίνει δέ τι,
Νῦν μοι διακονοῦντι παρὰ τῷ δεσπότῃ
Ἀστεῖον, οὐχ ἁλίσκομ' ἐκφέρων κρέας.

D Καὶ ἐν Συντρόφοις,

Ἐβάδιζες ἔξω τῶν πυλῶν μάγειρος ὤν
Ἄδειπνος ἤδη. πότης σὺ νῦν † ἀφίστασαι
† Κατ' ἀγορὰν ἐργάζομαι.
Ἐστίν τι παρὰ τῆς ὁμοτεχνίας μοι γνώριμος.

Οὐδὲν οὖν ἀπεικὸς ἀπέδειξαν οἱ καὶ θυτικῆς ἐμπείρους ἔσεσθαι τοὺς παλαιτέρους μαγείρους. προΐσταντο γοῦν καὶ γάμων καὶ θυσιῶν. διόπερ Μένανδρος ἐν Κόλακι, τὸν τοῖς τετραδισταῖς διακονούμενον μάγειρον ἐν τῇ τῆς Πανδήμου Ἀφροδίτης ἑορτῇ ποιεῖ ταυτὶ λέγοντα·
E
Σπονδή. δίδου σὺ σπλάγχν' ἀκολουθῶν. ποῖ βλέπεις;
Σπονδή. φέρ' ὦ παῖ † σωσία σπονδή. καλῶς.
Ἔγχει. θεοῖς ὀλυμπίοις εὐχώμεθα
Ὀλυμπίαισι πᾶσι, πάσαις. λάμβανε
Τὴν γλῶτταν ἐν τούτῳ διδόναι σωτηρίαν
Ὑγίειαν ἀγαθὰ πολλὰ τῶν ὄντων τε νῦν
F Ἀγαθῶν ὄνησιν. πᾶσι ταῦτ' εὐχώμεθα.

‖ Καὶ παρὰ Σιμωνίδῃ δέ φησιν ἕτερος [χ' ὡς ἀπέσκευα σαφῶς † σαχμῶς ἐμίστυλα κρέα εἰδώς.] τί καὶ γὰρ οὐ [κακῶς] ἐπίσταμαι. ‖ ἐμφαίνει δ' αὐτῶν τὴν ἐμπειρίαν καὶ ἡ πρὸς Ἀλέξανδρον ‖ Ὀλυμπιάδος ἐπιστολή [προτρεπομένη γὰρ μάγειρον αὐτῇ πρίασθαι] θυσιῶν ἔμπειρον, ἡ μήτηρ φησί, Πελίγναν τὸν μάγειρον λαβὲ παρὰ τῆς μητρός. ‖ οὗτος γὰρ οἶδε τὰ ἱερά σου τὰ πατρῷα πάντα ὃν τρόπον θύεται, [καὶ τὰ ‖ ἀργά, δικαστικὰ καὶ τὰ βακχικά,] ‖ ὅσα τε Ὀλυμπιὰς προθύεται, οὗτος οἶδε. μὴ οὖν

χ. χ' ὥσαπεσκευα θῶν σκεῦος ἐμ.

χ. καλῶς

χ. προτρεπομένη γὰρ μάγειρον αὐτῷ πρ.

χ. καὶ τὰ ὀργιαστικά, καὶ τὰ Βακχικά

*Athenaeus,* Athenaei Deipnosophistarvm libri qvindecim *(Lvgdvni: Apud Viduam A. de Harsy, 1612).*

*Mark Pattison's great biography of Casaubon puts his publishers among the "cormorants who sit hard by the tree of knowledge," but their technical achievement seems irreproachable. The last paragraph on the page shown is the first reference to the professional cook, since Simonides, the pöet quoted, is thought to have lived in the seventh century B.C. The cook introduces himself here by asking "What is there that I can't do well?" The braggart cook becomes a stock character in classical comedy. Ben Jonson found here in Athenaeus the lines he used for Lickfinger in* Staple of News *(1631):*

> *A master cook! why, he's the man of men,*
> *For a professor! He designs, he draws,*
> *He paints, he carves, he builds, he fortifies*
> *Makes citadels of curious fowl and fish, . . .*
> *He raiseth ramparts of immortal crust;*
> *And teacheth all the tactics, at one dinner: . . .*
> *He has nature in a pot, 'bove all the chymists . . .*
> *He is an architect, an engineer,*
> *A soldier, a physician, a philosopher,*
> *A general mathematician.*

under the star of Athenaeus.

As was to be expected, the first "banquet" books, the *Symposium* of Plato and that of Xenophon, appear in the Bitting Collection. Perhaps unexpectedly, the profound Plato and the gay Xenophon are together under the covers of *De conviviorum veterũ Graecorum, & hoc tempore Germanorum ritibus, moribus, ac sermonibus* (Basilae: ex officina Ioannis Oporoni, 1548). Cornarius, the translator, had issued a complete Latin Galen the year before; the publisher had printed Vesalius's *De humani corporis fabrica* five years earlier. The symposium is the drinking (*potos*) after the dining (*deipnon*), so the talk in these books is not of food. This is not the case with another "banquet" book, the *Saturnalia* of Macrobius, an account of the talk at table during that holiday supposedly recorded by the author for his son's benefit. In Book VII the most prominent doctor of Macrobius's time leads a discussion on food and drink whose conclusion repeats after Galen that man must rely on his own taste and his own experience. The Bitting 1597 *Opera* of Macrobius was edited for the Plantin press by another Pontanus, this one the Dutch professor J. I. Pontanus, who is the first historian of Denmark.

An excursus is necessary here to make clear the maleficent influence of the greatest of the "banquet" books on the history of the literature of gastronomy. The villain in that history is Plato's *Symposium*, or, more correctly, what Marsilio Ficino and the Neoplatonists made of it. Ficino's commentary on the *Symposium* dismisses smell, touch, and taste as pertaining only to matter and the body and thus without significance in the appreciation of beauty. Ficino does not ask the question why, if this is so, the word "taste" should have come to be used to denote the aesthetic responses of the individual.

In the *Biographia Literaria,* Coleridge shook off the Neoplatonic inhibitions and posed and resolved this question by calling taste "the singularly happy and appropriate metaphor" borrowed from "the pregustatories of the old Roman Banquet to indicate sensitivity to the beautiful." [6] If taste was selected in preference to man's other cognitive senses, it was because of the "greater frequency, importance, and dignity of its employment and exertion in human nature." But so strong is the Neoplatonic prejudice in favor of the eye and the ear, Coleridge continues, that one refers only "sportively or by abuse of words to a beautiful flavor," although beauty is the essential concern of taste. The historian of gastronomy must wish that Coleridge had gone on to explain why the interdiction on the coupling of "beautiful" and "flavor" was first successfully violated in the France of Grimod de la Reynière and Brillat-Savarin.

The scholarly edition of the texts of Plato, Macrobius, Apicius, and the others is one part of the return *ad fontes* that the humanists pushed almost to the point of mysticism. Another aspect of this yearning to leave the vexatious present and recapture the past is the humanists' minute historical research on the mode of life of classical antiquity. This kind of learning can be instanced in Coleridge's reference to the Roman *praegustatores* quoted earlier. The breadth and depth of the humanist research effort can be gauged from the chapter "De conviviis & re cibaria" in J. A. Fabricius's *Bibliographia antiquaria.* [7] In this research the discussion of wine is particularly important. The qualities of wine are too varied and impalpable to permit description by the limited vocabulary specific to the sensations of taste. Horace and the others resorted to epithets like *generosum, dulce, molle, lene,* and *leve,* which work like metaphors. The example of the classics sanctions the free use of metaphor in

# Pierce Butler's Records of the Federal Constitutional Convention

### by James H. Hutson

Since the 1911 publication of Max Farrand's *Records of the Federal Convention of 1787*, little new documentation on the Constitutional Convention has appeared.[1] The major exception, of course, is the diary of John Lansing, Jr., published by Prof. Joseph R. Strayer, Jr., in 1939 under the title *The Delegates from New York or Proceedings of the Federal Convention of 1787*.[2] The value of the additional information contained in Lansing's manuscript has been offset to some degree by the recent discovery that the Convention notes of his New York anti-Federalist colleague Robert Yates, heretofore considered the source "next in importance" to Madison's records of the debates, must be regarded with suspicion because of liberties taken with the text by its improbable editor Citizen Edmond Genet.[3] It can now be reported that the records of another delegate to the Federal Convention have come to light: those of Pierce Butler of South Carolina. Professor Farrand acquired the Butler records with the intention of publishing them in a learned journal.[4] He deposited photostatic copies of them in the Library's Manuscript Division in December 1939. At that time, however, Farrand was absorbed by other scholarly enterprises, notably by the editing of Franklin's *Autobiography*, and he was unable to publish the Butler documents before his death on June 17, 1945. Their existence subsequently escaped the notice of scholars. They are now being brought to the attention of students of the Constitution and to all those interested in the development of American institutions.

Pierce Butler was born into an aristocratic Anglo-Irish family in 1744. His father was an Irish Member of Parliament and a relative of the Earl of Ormond, a connection which Pierce Butler flaunted and for which he was ridiculed in the 1790s while serving in the U.S. Senate.[5] Butler's family procured him a commission in the British army which he resigned in 1773 after marrying into the wealthy Middleton family of South Carolina and moving to the environs of Charleston. During and after the revolutionary war Butler held a variety of political positions in South Carolina. Although his property was rav-

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aged during the war, Butler went to Philadelphia in 1787 with his fortunes on the mend, as was the case for many of his fellow planters. Butler faithfully represented the interests of his state and class during the Convention—demanding protection for slavery and the slave trade, representation in Congress according to state wealth rather than state property, and the prohibition of taxes on exports such as rice and indigo. Butler attended the Convention assiduously—to the detriment of his health, he later claimed[6]—and spoke occasionally. Although a fellow delegate dismissed him as neither a politician nor an orator, he did not disgrace himself in debate and in one speech demonstrated a command of classical learning by paraphrasing Plutarch's *Life of Solon.*[7] He is probably best described, in John Fiske's words, as one of "the rank and file of thoroughly respectable, commonplace men, unfitted for shining in the work of the meeting, but admirably competent to proclaim its results and get their friends and neighbors to adopt them."[8]

Probably the least valuable segment of Butler's 1787 Convention records is his notes on the debates, published below, which he jotted into a small pocket notebook. His entries are laconic, disjointed, and often differ so markedly from the proceedings as recorded by other delegates that it is difficult to correlate them with particular speeches or particular days. Adding to the confusion is Butler's habit of arguing with the speakers whose sentiments he recorded. On June 8, for example, he took heated exception—"vehement," as Madison described it[9]—to the Virginian's intimation that the national government might appoint the state governors to veto unacceptable state laws, a proposal specifically made by Hamilton on June 18. Butler also disputed some of Hamilton's assertions in his celebrated speech of that day and took exception to Elbridge Gerry's remarks in his speech of June 11 on the representation of slaves.

Butler's notes on the debates are not completely "raw." That they were to some degree edited is suggested by his treatment of Randolph's remarks on the militia, which first appear separately under June 16 and are then incorporated into a longer June 16 entry, as well as by the C. C. Pinckney entry on September 5, which was inscribed on a stray scrap of paper. Evidently Butler took brief notes during the debates with the intention of consolidating them with other notes at his leisure. The debates which Butler dated June 23 through June 29 were apparently put together after the fact; otherwise, it is difficult to account for mistakes in dating—the remarks attributed to June 23 were actually made on June 25, those attributed to June 24 (a Sunday) were made on June 26, and those to June 27 on June 28—and for the misattribution of Williamson's speech of June 28 to Sherman. It is sobering to consider Butler's efforts in the context of Gouverneur Morris's remarks that many delegates "passed their evenings in transcribing speeches from shorthand minutes of the day,"[10] an observation which has encouraged generations of historians to hope that buried documentary treasure—perhaps one or more sets of notes to match Madison's—awaits discovery in the nation's repositories. Butler's stab at editing shows that the average delegate might produce something closer to abbreviated incoherence than to Madisonian lucidity.

That Butler had little taste for note taking emerges most clearly from his entry for June 8, which quickly became a canvas for doodling. His numerous sketched profiles lampooning the day's speakers demonstrate what must have been, for many members, the tedium of the Constitutional Convention. They are also one of the few evidences of humor which survive from a relentlessly sober occasion.

Unlike the papers left by some of the other delegates, Butler's notes on debates are not the major part of his Convention records. Surpassing them in number is a miscellany of plans, committee reports, motions, resolutions, and incidental papers. Butler retained copies of the Committee of the Whole's report on the Virginia Plan, June 13, 1787; two copies (which differ slightly) of the New Jersey Plan, June 15, 1787; a copy of Alexander Hamilton's plan of government, June 18, 1787; and a copy of Franklin's motion of June 30 concerning representation in the Senate and the origination of money bills. These papers are in a variety of unidentified hands, a fact which suggests that the authors sensibly avoided the onerous task of writing out the dozens of copies needed in the

# Prints From Eastern Europe
# The Last 20 Years

### by Karen F. Beall

In 1970 the Library of Congress held an exhibition of eighty-three prints made by artists from the countries of Eastern Europe. Exhibited were works from Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the Soviet Union, and Yugoslavia which demonstrated the fertile, varied, and excellent artistic activity of the preceding decade. The greatest number of prints were by Polish artists, followed by the Czechs and Yugoslavs. To a certain extent, quantity reflected the degree of activity in each country, but it also reflected the availability of prints at that time. In any case, the prints exhibited were a reminder that these nations not only have a rich tradition in the visual arts but an active contemporary art scene as well.

Since that time the Library has mounted an acquisitions program specifically to secure prints from these countries. The collection now boasts more than 150 individual works of extraordinary quality made by East European artists in the last twenty years or so.

Artistic activity was most recently interrupted by the Second World War and its aftereffects. Postwar reconstruction and reorientation and the subsequent political climate of these societies gave low priority to the support of cultural life. As there were no dealers or publishers supporting the artists, prints from this period are more subjective and not made with a market in mind. The war had left too much else to occupy the economy.

Eastern Europeans were not the beneficiaries of instant communications, as they traveled less than people in Western countries and had a controlled press. Yet the richness of their work is not less than that done elsewhere and the personal qualities are exceptional. Most frequently traditional techniques are used. Paper and materials are often hard to come by, and at times the artists must work privately since they are not permitted to exhibit or sell publicly. This has been most true in Czechoslovakia. Yugoslavs and Poles, on the other hand, have had greater opportunity for travel in recent years.

Today there exists a network of international print biennials that includes competitions in Fredrikstad, Norway; Tokyo, Japan; Bradford, England; Cracow, Poland; and Ljubljana, Yugoslavia. A triennial competition is held in

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Karen F. Beall, curator of fine prints in the Prints and Photographs Division, served as the American juror at the 7th International Biennial of Graphic Art in Cracow, Poland, in 1977 and prepared the text for *Contemporary Czechoslovakian Printmakers* for the Smithsonian Institution Traveling Exhibition Service in 1979. She has published a number of articles in the *Quarterly Journal,* an article in *Philobiblon*, and the book: *Cries and Itinerant Trades* (Hamburg, Germany, 1975).

San Francisco. Biennials in São Paulo and elsewhere include prints along with works in other media. Of special interest for our purposes have been the shows established in Ljubljana in 1955 and in Cracow in 1966. These continuing exhibitions have provided important impetus and exposure for artists of all nationalities and have drawn heavily from East European neighbors. Staff members from the Prints and Photographs Division have made it a point to keep up with these exhibitions and were impressed from the start with much of the work shown from this part of the world.

In 1970 the Pratt Graphics Center in New York published a portfolio of *Eastern European Prints,* with works by ten artists, some of whom had worked at Pratt.

In 1968 Meda Mladek organized a major exhibition called "Recent Graphics from Prague" at the Corcoran Gallery Dupont Center in Washington, D.C. As a result, the Library made a number of purchases and our interest was stimulated anew. Since that time it has been the policy of the Prints and Photographs Division to seek outstanding work being created on a current basis.

Since our collecting has concentrated on prints from Czechoslovakia, Yugoslavia, and Poland, only these countries will be addressed in this very brief essay. A checklist of all East European prints of the last twenty years or so held in the Library of Congress collections follows at the end. The list attempts to be complete to April 1979.

In the territory known, since 1917, as Czechoslovakia, interest in printing goes back to 1468, when the first book was printed in Bohemia. Four imprints from the area predating 1500, one of them a Bible published in Kutna Hora in 1489 with woodcut illustrations, are in the collections of rare books at the Library of Congress. During the sixteenth and seventeenth centuries many foreign- and native-born engravers worked there, and in the eighteenth and nineteenth centuries a large number of book illustrations and genre pictures were done by their successors. Wenceslaus Hollar's seventeenth-century prints are well represented in the Library collections, although many of them were made after the artist left his native country. Aloys Senefelder, who invented lithography in 1798, was born in Prague, though he worked in Germany. The print room at the National Gallery in Prague has a magnificent collection of over 250,000 prints representing all parts of the world and including strong Czech collections.

Thus one can see the historical importance of printmaking in Czechoslovakia. Today artists there are well schooled in the traditional techniques. They are superior draftsmen and they are well informed about the history of their craft. They have learned from past masters but in recent times have found it difficult to keep up-to-date with every aspect of contemporary art. Yet Czech printmakers have not only kept pace with the rest of the world, they have produced some of the finest work done, judged on any comparative basis.

During the period of Nazi occupation and following the 1948 establishment of the Communist Regime, official prejudice against art drove artists underground. About 1965 tensions eased and there followed an outburst of creative activity not only in the visual arts but in film, theater, and literature as well. It was in the area of film during the mid-1960s that Americans perhaps first became aware of renewed Czech creativity.

One cannot say that any particular style dominated Czech works of the late sixties. Expressionism found new direction there; abstract color schemes appeared, and minimal art found at least one exponent. But many artists still drew on seventeenth-century baroque elements—specifically bits of architectural detail—and on surrealist characteristics which derive from the traditionally close connection between Czech and French artists, incorporating these styles with politically and socially current themes to create modern prints and collages. The artists may not see themselves as surrealists, and perhaps their art is a reflection of their feeling about life, which includes both daydreams and nightmares.

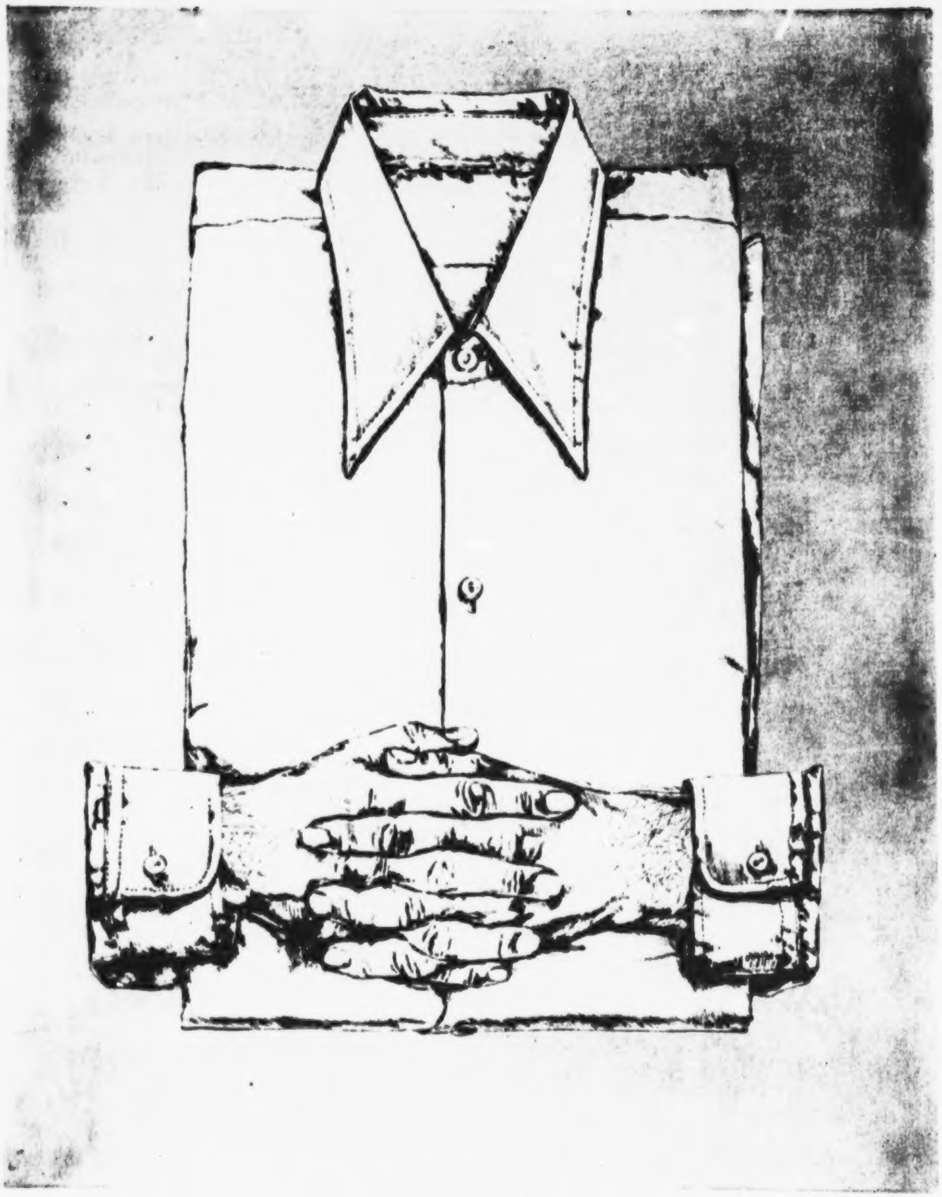
Albín Brunovský (b. 1935), Oldrich Kulhánek (b. 1940), Vladimír Gazovič (b. 1939), and Jan Krejči (b. 1942), for example, present surrealist images that are deeply moving if often grotesque. These artists are superb draftsmen; their symbols and figures flow together into brilliant and intense images, often with political allu-

*Adriena Šimotová,* Soif *(1976), color intaglio.*

celebrate his birth. Major one-man exhibitions of his work have been held in this country at the Guggenheim Museum in New York City and at the Albright-Knox Art Gallery in Buffalo.

There are many women among the leading Czech printmakers, some of whose work we have in the collections. Adriena Šimotová (b. 1926), Jiří John's widow, still works in his studio and does prints based on a sort of diary of daily events. They convey more what she experiences than what she sees and often have strange spatial effects. Šimotová's prints are always lyrical and appealing. Naděžda Plišková (b. 1934), who frequently borrows bits of Prague's baroque architecture for her images, made the illustrated portrait called *Mon Mari,* or, "my husband." Her husband Karel Nepras is also an artist. Alena Kučerová's work has introduced new techniques. And Eva Bednářová (b. 1937) etches mystical and often religious images. All are fine examples of Prague's many women artists.

The prints from Czechoslovakia are not always easy to understand. They contain disguised symbolism. The images are often haunt-



*Naděžda Plišková,* Mon mari *(1976), drypoint.*

ing and seldom joyful, though frequently poetic. There is certainly a vitality, energy, and emotional content immediately discernible to the viewer.

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Printmaking gained momentum during the Expressionist period in Yugoslavia and has remained what Zoran Kržišnik refers to as "the important contact art" of this country. The use of the term *contact art* refers to the fact that prints can be widely disseminated and may be acquired by a much greater number of people because of their modest cost.

Between World War II and 1950 Yugoslavia was recovering from years of war on its soil when art centers there, as elsewhere, were paralyzed, but by about 1950 the artistic life attained some semblance of normalcy and during the decade of the fifties Yugoslavians again were exposed to developments in the rest of the world and could focus on creativity.

food discussion is extracted from Valla's encyclopedia-like *De expetendi et fugiendis rebus,* published by Aldus Manutius in 1501. Valla had learned Greek from Constantine Lascaris and his collection of Galen manuscripts was used by the Aldine press in the 1525 Galen. Bound with *De tvenda sanitate per victum* in the Bitting edition is *De ciborum facultatibus,* an excerpt translated from Paulus Aegineta's *De re medica* by Gulielmus Cop, the Basel physician and friend of Erasmus associated with the 1530 *Hippocratis Aphorismi.*

The representation accorded Galen and the other classical physicians evidences the largeness of the definition which the Bittings gave to gastronomy. In an article on "Gastronomic Philosophy," Dr. A. W. Bitting called Galen a landmark in the philosophy of food, like Moses or Buddha, for having cast the concept of the dietetic regime as the origin and center of well-being that dominates the history of personal hygiene.[4] The Galenic doctrine lumps food and drink together as one of the six factors external to man whose use or abuse continuously and inevitably influences health. These factors Galen called the "non-naturals," though "why," as Tristram Shandy says, "the most natural actions of a man's life should be called his non-naturals—is another question." We leave undiscussed Galen's theory of humors and qualities, important as it is, to emphasize that the import of the doctrine of non-naturals is that man is responsible for his own health. Responsibility implies choice making, which requires knowledge and concern, and these combine to intellectualize what begins as the satisfaction of a physical need into the gastronomic approach to the table.

Galen taught that while the doctor was first a philosopher he was also a moralist because he could not intervene in the matter of health without intervening in the manner of living. The individual, who is always his own doctor, must translate his general moral and philosophical values into terms of his personal social and biological circumstances. Professor Oswei Temkin emphasizes that:

> Galen is a dietetic physician, and the moral aspect is potentially inherent in dietetic medicine, which considers most internal diseases to be caused by errors of regimen and hence avoidable. Health thus becomes a responsibility, and disease a matter for possible moral reflection.[5]

Diet conceived as a quasi-moral act of judgment has its parallel in the fastidiousness Erasmian moralists sought in the exchange of mental for sensual pleasure, of subtle for gross gratification, and, in general, of culture for nature. The roots of medical humanism are to be found not in the simple love of *bonae literae* but in the humanist insistence that the individual be allowed to define himself by making choices. In Book II of his *Utopia*, Sir Thomas More explains that in Utopia where medicine is needed least Galen and Hippocrates are studied most because "medicine is the most useful of subjects."

The prince of humanists, Erasmus himself, is represented in the Bitting Collection by two works, to which one might perhaps wish to add a third, the manners book *De ciuilitate morum puerilium.* Erasmus's *De interdicto esv carnivum* (Basileae: J. Froden?, 1522) is in the form of a letter to the bishop of Basel concerning the scandal created by a neighbor of Erasmus who ate pork on Palm Sunday. While the point is very much the same, this is not the same work, as the *Gastronomic Bibliography* says, as the first dialogue in Book III of Erasmus's *Colloquia.* This is the dialogue called "L'Ichthyphage" in the Bitting *Colloquia* translation entitled *Les Entretiens familiers* (Genève, I. H. Widerhold, 1649). Violently allergic to fish, Erasmus had obtained ecclesiastical dispensation from his dietary obligations. This concession did not lessen his dislike, occasioned and reinforced of course by other circumstances, of church control over the daily life of men. "What porridge had John Keats?" laughed Robert Browning, jeering at those he thought inordinately occupied with the crumbs of literature. But the relationship of fish and Erasmus seems not entirely trivial when he writes (February 21, 1528) that while his heart is with the old faith his stomach is Lutheran. (As for Keats, Yeats describes him somewhere as a small boy with his nose pushed against the sweets shop window.)

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Before plotting other points in the early literature of gastronomy, the lines of which if drawn would converge at the Renaissance "discovery of man," this review will make the conventional tour of the collection to point out the rarities, although after a reminder that the Bittings did not intend a collection of rarities. The *Gastronomic Bibliography* describes how the Bittings, at first taken aback by the prices in the rare book market, sought counsel from the French bookseller Émile Nourry, whom they may have known from his publication of André Simon's *Bibliotheca Bacchica.* Nourry's advice was to compromise with perfection to attain the possible, that is, to collect the important titles, though not necessarily in the best editions. It is repeated here to anticipate the occasions when the reader will miss the intimacy of the first edition, the feeling that this is the way the writer saw his work for the first time. To balance against this, attention ought also be directed to titles which at the time of purchase probably gave the Bittings the pleasure of knowing that they owned something out of the ordinary in one way or another.

A perhaps unexpected example of a gastronomic rarity is the first printed book on abstinence, the *De reparatione lapsi* of St. John Chrysostom (Rouen: Martin Morin, June 21, 1495.) This was the first incunabulum purchased by the Bittings and its typeface is used in the Bitting ex libris. Presumably then this book more than any other represented for the Bittings the pleasure of collecting—the thrill of the discovery, the excitement of the purchase, and the joy of later contemplation. This is the ninth of the thirty-nine incunabula from the press of Martin Morin, pioneer of Norman printing, perhaps best known for his *Coutumes de Bretaigne.* Chrysostom's text is that abstinence is the food of the soul, for it tames lusts, pacifies the choleric temperament, and wakes up judgment. At the moment of sale, this title was listed in Proctor's *Index,* although not in the Hain-Copinger-Reichling series of incunabula catalogs. According to Winship's *Census,* the only American copy was in the collection of John Boyd Thacher of Albany, New York. Consequently, with this purchase a pattern of events had been set up which ultimately would unite the Thacher and Bitting copies in the Library of Congress, where they had been preceded by the Yudin Collection Russian editions of the "golden-mouthed" Father of the Eastern Church.

There are other rarities in the Bitting Collection to which the collectors might have pointed with legitimate pride. At the time of their purchase of the *Martyrologium der Heiligen nach dem Kalendar* (Strassburg: Johann Pruss, 1484) there was no other copy in the United States of this source book of Alsatian social history. The *Gastronomic Bibliography* reproduces the *Martyrologium* plate of a man's figure with lines extending from the organs to the zodiacal houses at each side, in three of which the zodiacal symbols are represented as presiding over good digestion. The Bitting is still the only American copy of canon lawyer Perre Rebuffi's *Tractatus de sententiis praeivdicialibvs . . . vbi materia alimentorvm praesertim dvrante lite praestandorum, plenè explicatur* which the publisher Joannes Gymnich of Cologne in 1595 combined with the *Tractatus de alimentis* of Johannes Baptista Pontanus, the Bohemian Jesuit Spannmüller. There is one other American copy of the 1492 edition of the *Speculum finalis retributionis,* Petrus Reginaldetus's joyful vision of the tortures of the damned on the day of the last judgment. The Bitting copy of another curious venture into eschatology, François Arnoulx's *Merveilles de l'avtre monde, contenant les horribles tourmens de l'Enfer. Les admirables joyes de Paradis* (Agen: I. Gayav, 1670), is unique in this country. Readers of the *Portrait of the Artist as a Young Man* may be interested in Arnoulx: his name and his subject matter recall the magnificent "hellfire" eloquence of Joyce's Father Arnall. The Bittings probably bought the book for the chapter entitled "Des banquets & convives qui se feront entre les bien-heureux."

Indeed, the early modern area of the Bitting Collection includes a rather substantial number of titles which, while perhaps not excessively rare, suggest that a bookman of uncommon knowledge was instrumental in their selection. It is not to denigrate the Bittings to think that the appreciation of some of these titles requires expertise of the kind one expects only of the professional bookman, in this case, presumably, the bookseller—publisher Émile Nourry. Perhaps some literate Frenchmen would recognize the *Epulum parasiticum* (Norimbergae, 1656) as a collection of contemporary satires on Pierre de Montmaur, professor of Greek at the Sorbonne and a parasite like those in Plautus who "eat and talk and talking still will eat." Bookish sophistication of a still higher order is required to know gastronomic literature which will go beyond Coleridge's "beautiful taste" to the audacity of Grimod de la Reynière's "sauce with which one could eat one's grandfather."

The greatest of the Renaissance studies of the table of antiquity is acknowledged to be the *Antiqvitatum convivialivm* (Tigviri: C. Froschoverus, 1582) of the Swiss Johann Stuck. Cadet de Gassicourt's gastrologist and the latest English translater of Erasmus's *Colloquia*[8] join in commending this painstaking and erudite examination of 650 sources. Pierre Muret's *Dissertations sur les festins des anciens Grecs et Romains* (La Haye: C. Vanlom, 1715) pays Stuck the flattery of imitation but acknowledges its debt to its predecessor. Pedro Chacon, called the Varro of his age (the gastrologist dismisses him as "very learned for a Spaniard"), is in the Bitting Collection for his *De triclinio romano* (Rome: apud Georgivm Ferrarivm, 1588). The collector and antiquarian Fulvio Orsini added a long appendix to Chacon but there are none of the plates for which Orsini is important in the history of the Italian illustrated book. The gastrologist calls Nonnius (Luis Nunez), the pioneer student of the topographical antiquities of Spain, "modest et savant." Nonnius's *Diateticon, sive De re cibaria* (Antverpiea: ex officina P. Belleri, 1645) is in effect an exposition of the references to food and drink in Horace, Juvenal, Martial, and other classic writers, though he seems always to return to the vindication of the Church's prescriptions about food. Another work on the Roman table as much Counter-Reformation as humanist in inspiration is *De victv romanorum et de sanitate tvenda* (Romae: in aedibus Populi romani, 1581). The author, Alessandro Petronio, physician to Pope Gregory XIII and Ignatius Loyola, also had some things to say about Roman public sanitation.

The Bitting Collection represents only the latter of the two great classical advocates of vegetarianism, Pythagoras and Porphyry, despite the gastrologist's express recommendation of Cocchi's *Règime de Pythagore.* Cocchi, as written by Rousseau into *La Nouvelle Héloise* and *Émile,* is an important contributor to the "back to Nature" revolution in diet still under way. Porphyry was known to the gastrologist for his doctrine that men in their perfected state would eat nothing but the fruits which plants bear in excess of their needs for reproduction. This is a great gastronomic improvement on Samuel Butler's *Erewhon,* where the righteous are limited to rotting fruit and decaying cabbage. The Bitting Collection has two eighteenth-century editions of Porphyry, one of which, the *Traité . . . touchant l'abstinence de la chair des animaux* (Paris: Bure l'ainé, 1747) includes the "Dissertation sur les génies" which gives Porphyry his place in demonology.

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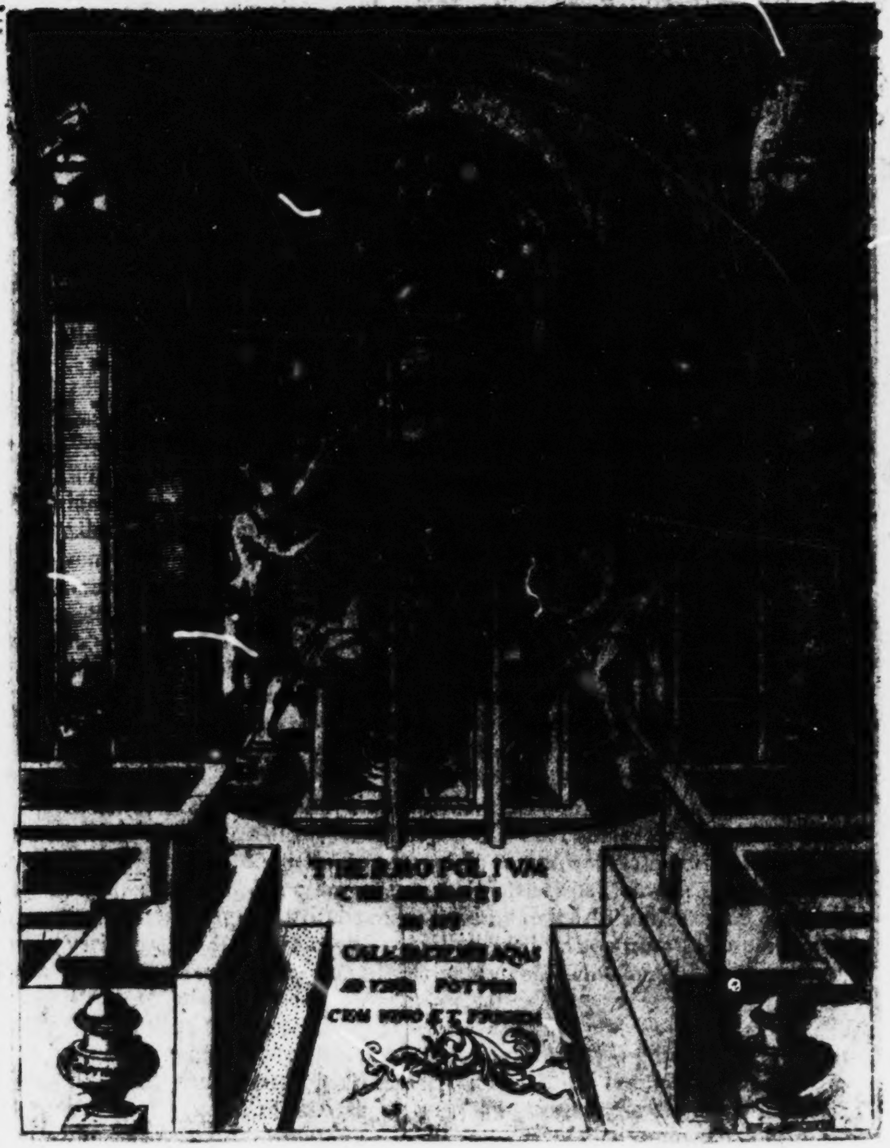
Broaching now the literature of wine, in obedience to that still-echoing birth cry of Rabelais's Gargantua: "À boire! À boire!" this review need not leave the area of classic studies. The authors to be cited justify George Meredith's dictum in *The Egoist* that the classicist is he "whose blood is most nuptial to the webbed bottle" because "the studious mind is . . . the obverse of mortality and throws off acids and crusty particles in the passing of the years until it is fulgent by clarity." Andrea Bacci, doctor to Pope Sixtus V and professor of botany, was honored for his learning by Cardinal Ascanio Colonna, whose arms are shown on the title page of Bacci's *De natvrali vinorvm historia de vinis Italiae et de conuiuijs antiquorum . . .* (Romae: ex officina Nicolai Mutis, 1596). This is a full and lucid scholarly account of Graeco-Roman oenology, wine and the constitution of man, the banquet practices of old, the wines of Italy, and the imported wines likely to be met in Rome. Bacci's expertise extends to knowledge of provincial variations in Italian climatic conditions and viticultural practices.

Vincentius Obsopoeus interests because this teacher of classical philology born the son of a Bavarian cook was a friend of Luther and of Pirckheimer, whom Erasmus called "the chief glory of our Germany." Brunet's *Manuel du libraire* thinks the Bitting 1648 Leiden edition of Obsopoeus's Ovid-inspired *De arte bibendi* so good in type and composition as to be attributable to an Elzevir press. Be it noted that Obsopoeus is not celebrating wine as stupifiant or anesthetic but as an alchemical agent enhancing consciousness. He would have admired the appreciation of champagne, not known to him as a sparkling wine, expressed by that unlettered

378 DE VINIS, AC CONVIVIIS ANTIQ.

# THERMOPOLIVM ROMANVM.



*Andrea Bacci,* De natvrali vinorvm historia de vinis Italiae et de coniuijs antiquorum *(Romae: ex officinae Nicholai Mutis, 1596).*

*The Roman practice was to purchase from a thermopolium specially pure water which had been boiled and then cool it with snow for mixing with wine. Bacci put together this illustration of the thermopolium from the descriptions given by Seneca, Athenaeus, and others, and from remnants found in the Diocletian Baths. The first copper reservoir, the frigidarium, received the water which then passed to the tepidarium through the cylindrical tube and into the calidarium through a long series of serpentine tubes. The arrangement is so contrived that each reservoir* (miliarius) *remains equally full. The water is cooled with snow before use, for, as Athenaeus says, "no one will commend/The man who gives hot water to a friend."*

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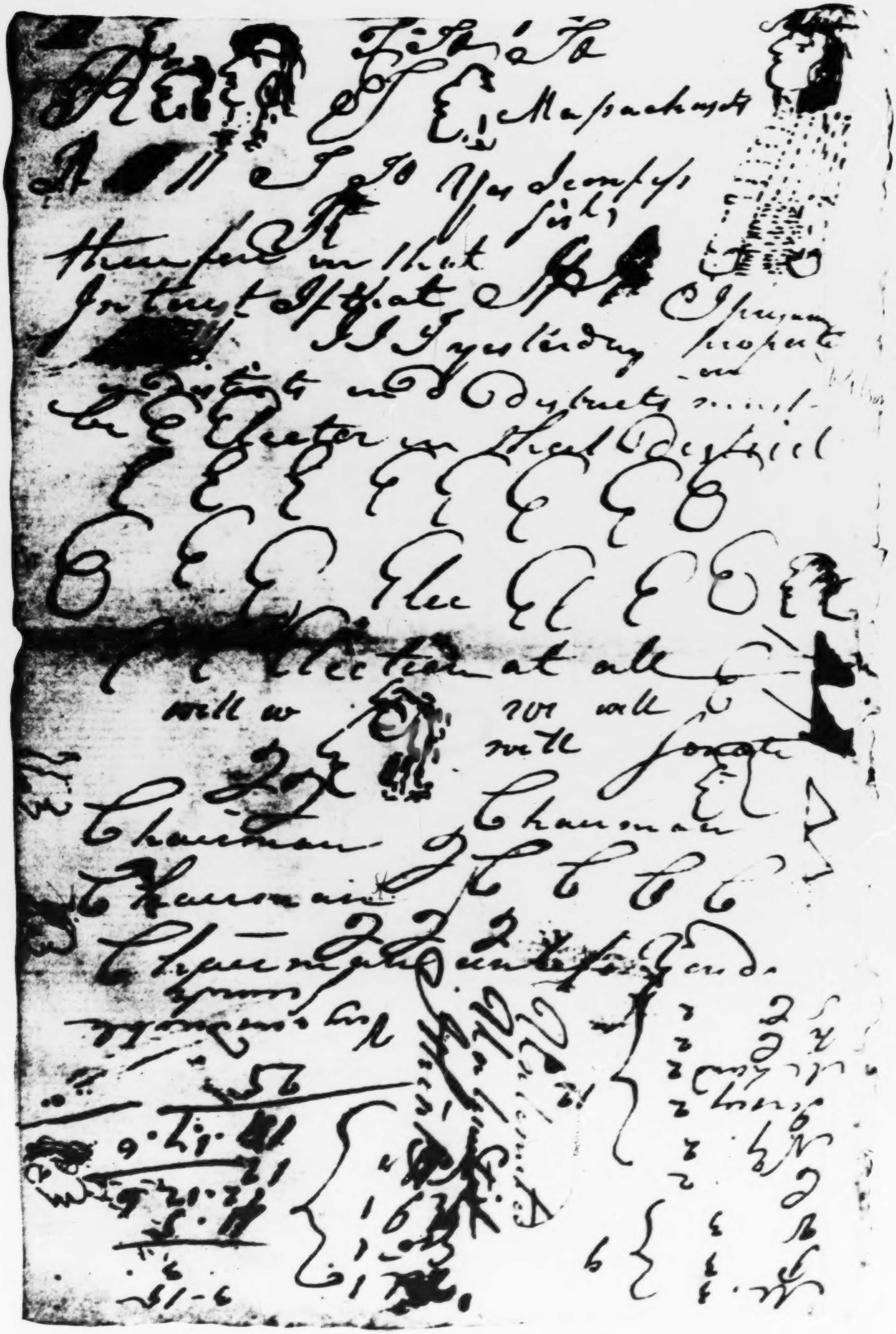

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*Pierce Butler's June 3, 1787, notes and drawings. Papers of Pierce Butler, Manuscript Division.*

Convention by hiring Philadelphia scriveners to prepare what we would today call their position papers. If so, it is easy to understand why the convention, whose delegates were sworn to secrecy, "leaked like a sieve," as Merrill Jensen recently remarked.[11]

Also among Butler's papers are heavily annotated copies of the printed Committee of Detail report of August 6, 1787, and of the printed Committee of Style report of September 12, 1787. These documents are far from unique: the Library of Congress alone holds four other annotated copies of the Committee of Detail report (James Madison's, William Samuel Johnson's, Nicholas Gilman's, and David Brearly's) and four annoted copies of the Committee of Style report (George Washington's, James Madison's, Rufus King's, and Abraham Baldwin's). Although Farrand printed George Mason's notes on his copy of the Committee of Style report, he printed none of the other members' marginalia, some of which is at least as interesting and important as Mason's. Any new edition of Farrand's *Records*—frequently spoken of—will need to remedy these omissions by searching other repositories for additional annotated reports, collating those which are found, and publishing what is warranted.

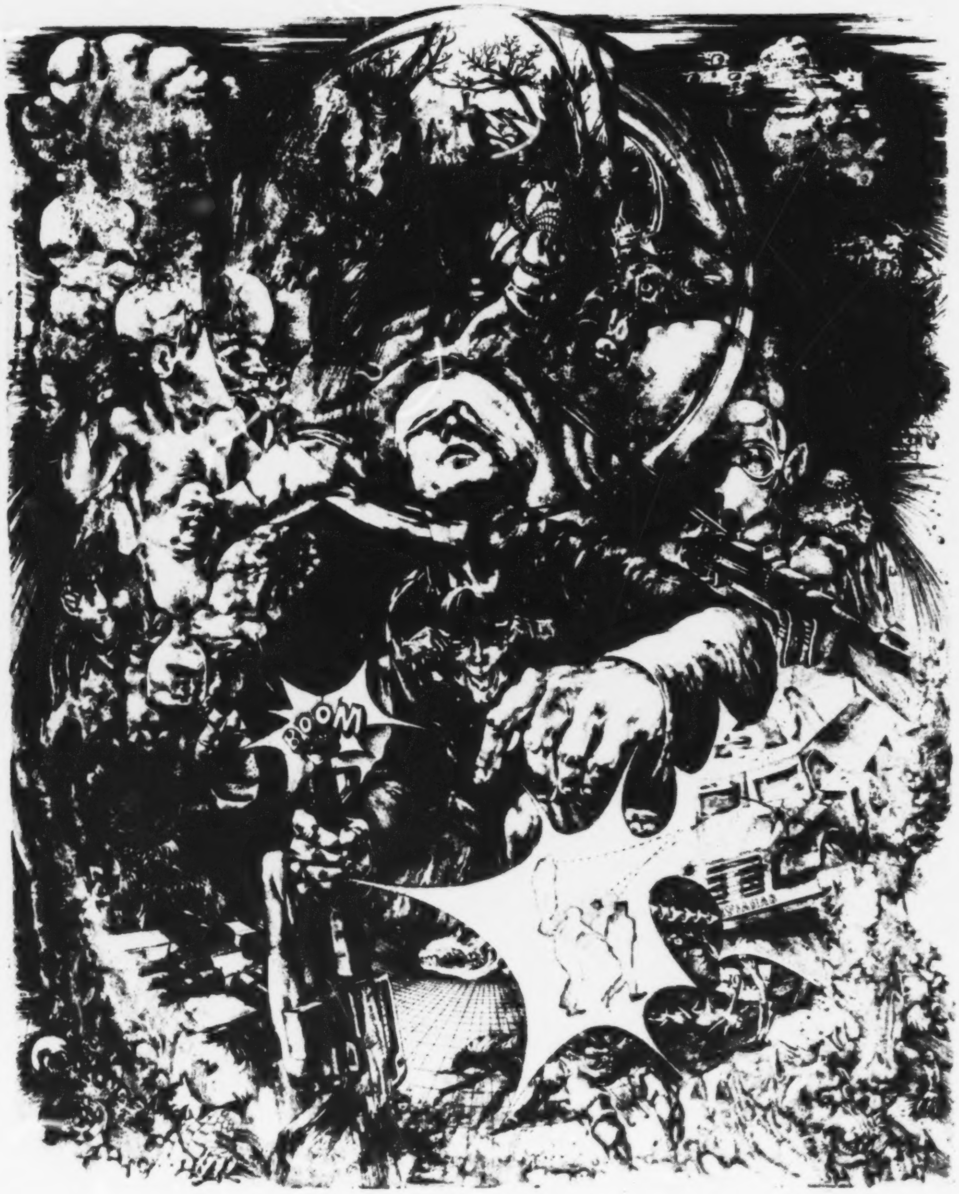
The limitations of Farrand's *Records* are also demonstrated by the existence of other kinds of documents in Butler's papers: motions and resolutions. These were written on slips of paper and passed among the delegates. Some are copies in Butler's hand, others are in the hands of their authors. Dealing with the motions made at the Convention is not easy because secretary William Jackson destroyed many of them—he burned "all loose scraps of paper which belong to the Convention," he informed Washington on September 17, 1787[12]—and because Jackson, whose failings as secretary have been lamented by every student of the Constitution, was casual about entering those which he did retain in the official *Journal*.[13] Moreover, some of the motions among Butler's records were made in committees and probably did not reach Jackson. Finally, some others seem to have circulated privately to test the reactions of selected members to provocative ideas. The point is that Farrand only published those motions recorded by Jackson or contained in the notes of debates made by various delegates. Judging by the abundance of unpublished draft motions in Butler's papers, many more may exist in the papers of other delegates. They are a rich source of information about what occurred at the Convention and should no longer be ignored.

Consider the following motion, which exists in two virtually identical versions in Butler's papers:

> No Regulation of Commerce or Revenue shall extend to giving the Ports of One State any preference to those of another State. Nor to oblige Vessels bound to or from one State, to pay any Toll or Duty in any other but the State they may have cleared out for. Neither shall they meet with any Stopage Molestation or Hindrance from the Ports or Batteries of any other State. The Legislature of the different States shall have full power to Establish such ports of Entry and Clearance in their Individual States as they may think proper.

Although no motion in this exact form appears in Farrand's *Records*, it is easy to pinpoint when, under what circumstances, and for what purpose it was composed. The motion was a product of the Maryland delegation's anxieties that Congress, under the domination of larger states like Virginia, might compel vessels bound for Baltimore or any other Chesapeake Bay port to enter and clear first at Norfolk at the mouth of the Bay. This was a "tender point in Maryland," Charles Carroll of Carrollton told the delegates on August 31,[14] but no more worrisome than the possibility that the general government might, by designating inaccessible state ports of entry, contrive to divert trade to more accessible ports in neighboring states (again the malevolence of Virginia was feared).[15] To protect Maryland's commerce, Carroll, Luther Martin, and James McHenry introduced a resolution on August 25[16] restricting the federal government's rights over the destination of merchantmen and over ports of entry. The Maryland motion was referred to a committee of one member per state on the day when Butler was South Carolina's representative. The motion printed above was obviously presented to this committee. The committee reported a resolution on August 28—which passed the Convention on August 31[17] and was ultimately incorporated into article I, section 9, of the Constitution—which closely

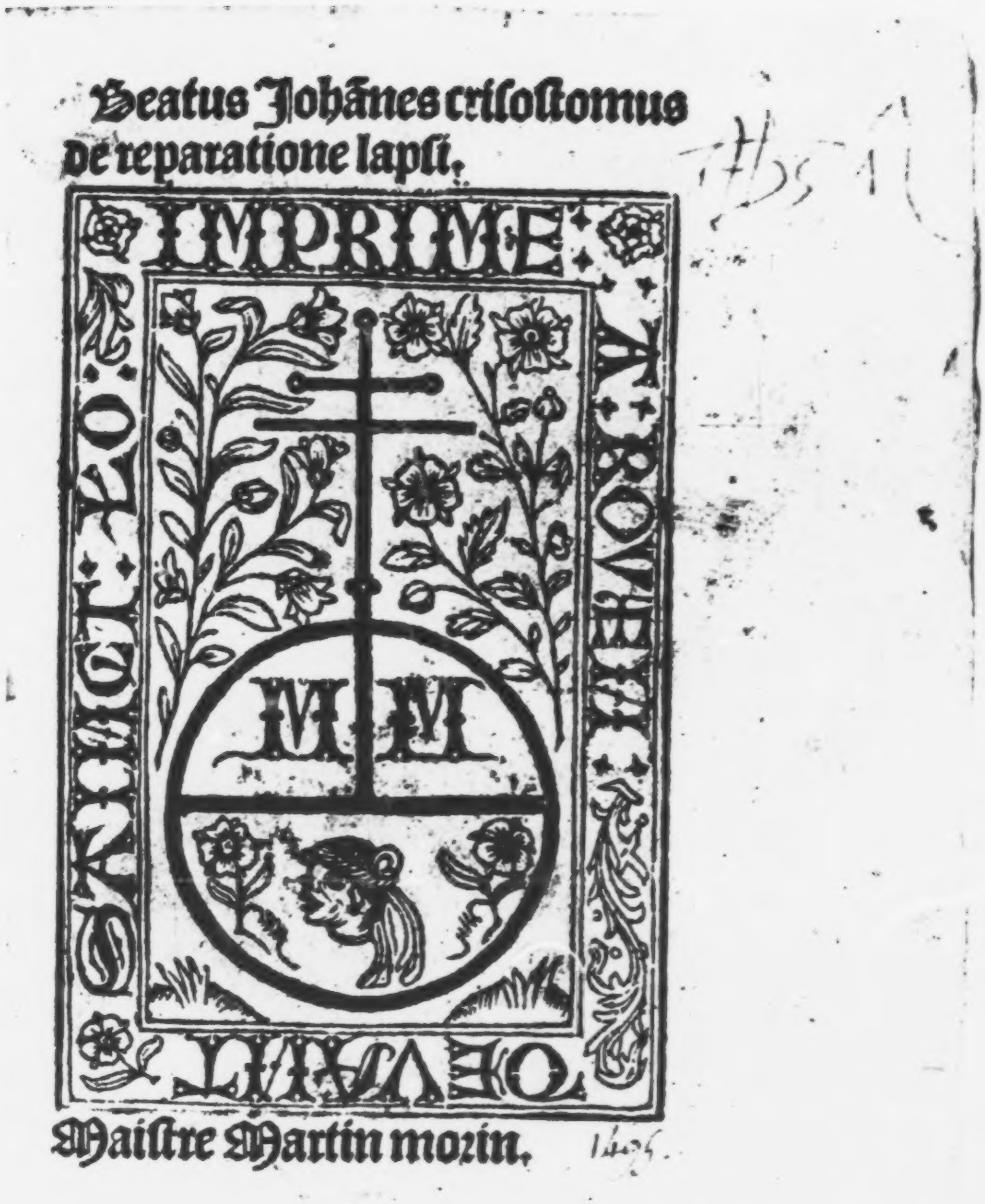
*Albín Brunovský,* Bella Italia VI, *from the Bella Italia portfolio (1969), etching.*



*Oldřich Kulhánek,* Hommage à Albrecht Dürer—A Soldier *(1970), color etching.*

*Riko Debenjak,* Petit peigne *(1962?), color intaglio.*

*Andrej Jemec,* Gradation vers la lumière *(1974), serigraph.*



Beatus Johānes criſoſtomus
de reparatione lapſi.

IMPRIME · A ROVEN · DEVANT · SAINCT · LO

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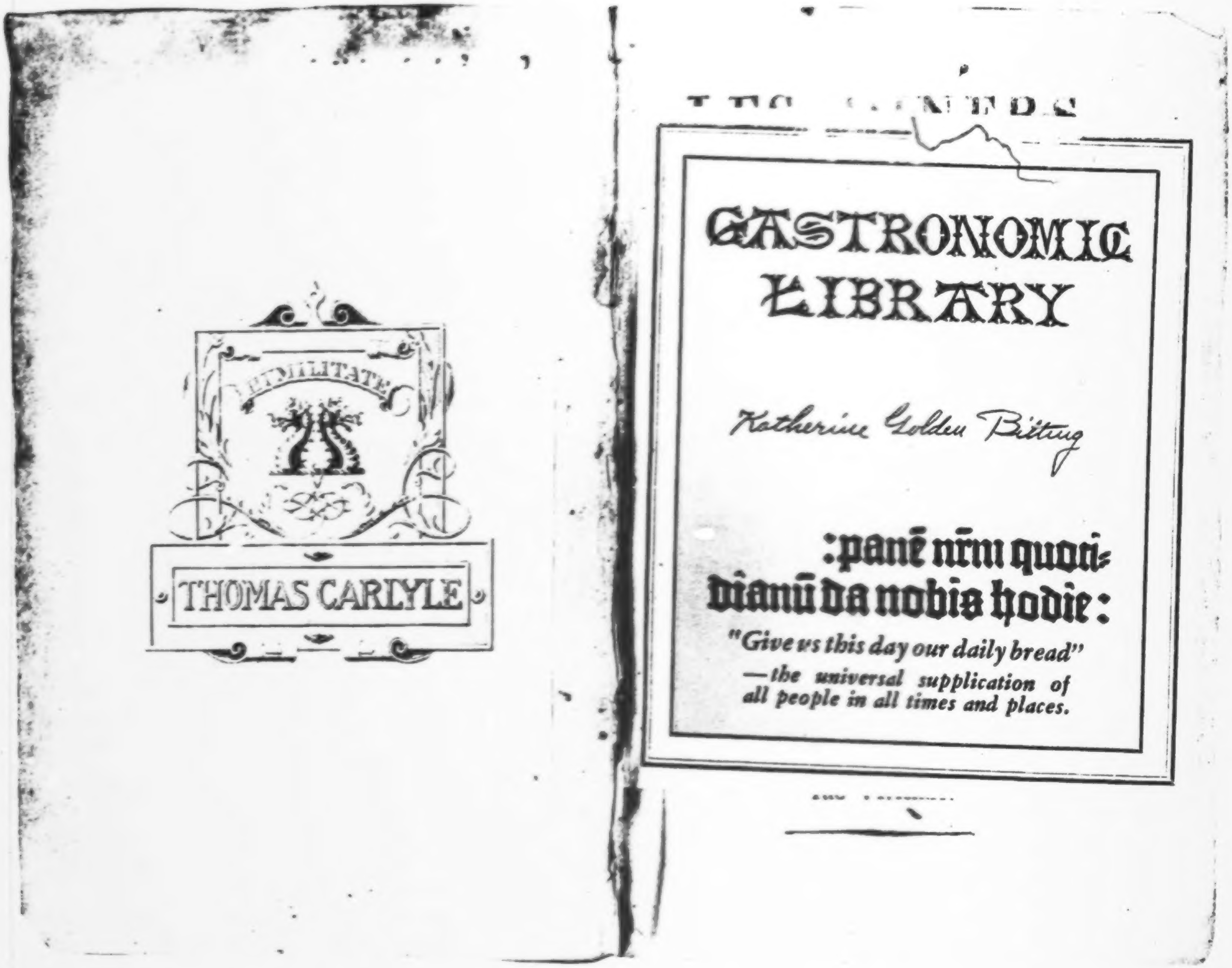
Maiſtre Martin morin.

1495

*Joannes Chrysostomus,* De reparatione lapsi *(Rouen: Martin Morin, June 21, 1495).*

*Jules Duhem's pride in this rarity is evident in his note "Un Incunable Normand rarissime,"* Bulletin du bibliophile et du bibliothècaire, *n.s. 11 (May 20, 1932): 216–22. He wrote, "One does not know whether the perfection of the text or the purity of the print is more to be admired. The paper is excellent. The type is a beautiful German type that has already evolved toward the semi-Gothic, and apparently came from one of the most successful fonts along the Rhineland. The copy in our possession is complete and well preserved; the interior and the lateral margins have not been touched by the binder's knife."*


ET MILITATE
THOMAS CARLYLE
GASTRONOMIC LIBRARY
Katherine Golden Bitting
:panē nr̄m quoti-dianū da nobis hodie:
"Give vs this day our daily bread"
—the universal supplication of all people in all times and places.

*In the bookplate designed by Dr. A. W. Bitting, the words "Gastronomic Library" are set in the type used by Morin for the Chrysostom* De reparatione lapsi. *The signature is a facsimile of Mrs. Bitting's. The lines from the Lord's Prayer were reproduced from the Gutenberg Bible.*

*The book is* Les Diners de Vaudeville *(Paris, 1796), one of a group of song books in the Bitting Collection. Thomas Carlyle adopted the bookplate shown only in 1853, so the book itself cannot be thought to have been in Carlyle's library at the time he wrote his "flame portrait" of the French Revolution (1835). Parenthetically, in accepting this bookplate from Henry T. Wake, Carlyle suggested the American "congress library" as a "safe and perennial place" for custody of his friend's study on the "great Franklin," a suggestion that was not acted upon (letter of November 24, 1853).*

Claude Lancelot's *Dissertation svr l'hemine de vin, et svr la livre de pain de s. Benoist* . . . (A Paris: Chez Charles Savreaux, 1667) and to be aware that what seems to be a treatise on medieval weights and measures is actually a contribution to a debate on monastic diets then under way.

Neither of these works is listed in the *Gastronomic Bibliography,* but the annotation there on a comparable title, Francisco Grapaldi's *De partibus aedium* (Parma, 1516), reveals the tutelage in which the Bittings stood to Nourry. This edition, the Bittings write, is "said to be the most complete . . . and Nourry states the popularity of the work is indicated by 12 editions having been made in less than 40 years." The distinctive feature of the 1516 edition is indeed the "De verborum explicatione," which makes it twice the size of the earlier editions. Grapaldi has a sporting-man John Jorrocks: "Champagne gives one wery gentlemanly ideas." Obsopoeus's kind of lucid drunkenness is paralleled in France by Saint-Amant, Villon's successor as bard of the Pomme de Pin cabaret, whose *Oeuvres* are in the Bitting Collection in the 1661 Orléans edition that is technically as flawed as the Obsopoeus is good. A brief examination will firmly contradict Tchemerzine's characterization of this edition as "jolie . . . bien complète et bien imprimée."[9]

The historically important, if not always intrinsically interesting, works in this category include Scacchus's early description of sparkling wine, *De salubri potu dissertatio* (Romae: apud Alexandrū Zannettum, 1622); Peccana on cold drinks, *Del bever freddo* (Verona: Stamparia di A. Tamo, 1627); and Canoniero's praise and censure of other fermented drinks as well as of wine, *Le lodi e i biasmi del vino* (Viterbo: G. Discepelo, 1608). J. B. Davini's *De potu vini calidi dissertatio* (Mutinae Typis A. Capponi, 1725) which treats of the therapeutic value of wine, is also an early treatise on hydrotherapy and is accompanied by correspondence addressed to the great historian Muratori. The first work on cider, Julien Le Paulmier de Grentemesnil's *Traité* of 1589, is in the collection only in an 1896 facsimile issued, appropriately enough, by a Norman bibliophile society. The *Vinetum brittanicum* (London: Printed by J.C. for T. Dring, 1676) of the agricultural writer John Worlidge is the first study of English cider. *The Two Discourses* (London, 1675), one of which is "Of the Mysterie of Vintners . . . ," of Walter Charleton, who at twenty-two was doctor to Charles I, seem rather trivial, although prepared to be read to the Royal Society. Charleton might better have been represented in a gastronomy collection by his *Epicurus, his Morals* (London, 1656), one of the works which marks the arrival of Epicureanism in England. John French prepared himself by practice in alchemy for the writing of *The Art of Distilling.* All editions after the first (the Bitting copy belongs to the fourth edition of 1667) include a separately paginated "London-Distiller, Exactly and Truely Shewing the Way (in Words at Length and not in Mysterious Characters and Figures) to Draw all Sorts of Spirits and Strong Waters."

Scholarship and the grape itself can be represented by the *Coltivazione Toscana della viti, e d'alcuni alberi* (Firenze: Appresso i Givnti, 1622) of G. V. Soderini and Bernardo Davanzati, the first a noble Florentine who did not make his peace with the Medici and died in prison, his coauthor the editor of many texts of the classics. This work is accompanied in the Bitting volume by *La coltivazione degli vlivi,* the little study of olives of Piero Vettori, perhaps the greatest Italian classicist of his time, whose portrait Titian painted, and whose career requires five pages in Sandys's *History of Classical Scholarship.* Grapes, olives, and philosophy are combined in the rarity called *Observations upon the Growth and Culture of Vines and Olives,* written for the first Earl of Shaftesbury by his grandson's tutor, John Locke. The occasion for the book was Locke's French tour of 1679, but the first printing took place in 1766. It should be remembered that Charles Lamb calls the Chinese who first discovered that it was not necessary to burn down whole houses to roast pigs, "a sage like our Locke."

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The agricultural manual that surveys the "whole house" along with the vineyard is the last of the interlocking groupings in the Bittings's conceptualization of the early modern literature of gastronomy. However, before beginning a new journey we need to finish an old one, for the recommendations of Cadet de Gassicourt's gastrologist annotated earlier hardly exhaust the medico-culinary literature in the Bitting Collection. The student of the history of science will find dispersed here the documentation of the debate on the nature of the digestive process waged after Galen called blood "food-becoming-flesh." All that can be done now is to summarize the debate by repeating that the stomach has been likened at various times to a mill, a stew pan, and a fermenting vat. For a reasonably complete cross-section of the rest of this medico-culinary literature, we return to the book-by-book enumeration inevitable in a review of this kind.

Three sixteenth-century medical imprints are reminders that astrology remained the science of sciences for the humanists as it had been for Chaucer's "Doctour of Physick." The *Artificiosa methodus comparandorum hortensium fructuum*

(Coloniae Agrippinae: apud Joannem Gymnicum, 1577), a kind of astrological *materia medica,* is the work of Arnauld Mizauld, called in his time the French Aesculapius, who was adviser to Marguerite de Valois, Neoplatonist and feminist. The curiously titled *Libro llamadao El porque* (Caragoça: Impressa en casa de Iuan Millan . . . ,1567) is a Spanish translation of the *Liber de homine* of Girolamo Manfredi, astrologer and professor of medicine at Bologna. Derived from the "Salerniternian Questions," the questions and answers concern sex, leprosy, diet, the effects of wine, the *castrati* and other oddities. *De vita libri tres* of Marsilio Ficino (Basilae: apud haeredes Andreae Cratandri, 1549) is probably in the Bitting Collection because bound with it are three little Galenic treatises on diet by Guinter of Andernach, Girolamo Ricci, and Insulanus Menapius. However, in addition to being the prime exposition of talismanic astrology, the third of Ficino's books gives the astrologically suitable diet (white wine and very white sugar) for escape from the maleficence of Saturn. The job description of the master-cook given by Lickfinger in Ben Johnson's *Staple of News* (act 4, scene 1) requires knowledge of:

> The influence of the stars upon his meats,
> And all their seasons, tempers, qualities
> And so to fit his relishes and sauces.

*The Method and Means of Enjoying Health, Vigour, and Long Life* (London: Printed by J. M. for D. Newman, 1683) of Dr. Edward Maynwaring, "doctor in phisick and hermetick phylosophy" might be associated with these earlier applications to medicine of the secret knowledge of the stars in their courses. More mundane are three other seventeenth-century English imprints. Dr. Tobias Venner's *Via recta ad vitam longam* (London: Printed by R. Bishop for Henry Hood . . . , 1638) describes "the Nature, Faculties, and Effects of all such Things, as by Way of Nourishment . . . are made for the Preservation of Health." The English vegetarian book of the century is *The Way to Health, Long Life and Happiness* (London: G. Conyers, 1683) of "Philotheos Physiologus" (Thomas Tryon), "student in physics" (the man was a London hatter). Ben Franklin was one of Tryon's converts until an incident recorded in the *Autobiography* convinced him that the law of life is for big fishes to eat little fishes. It was on this occasion that Franklin formulated his instrumental definition of reason, remarking "so convenient a thing it is to be a reasonable creature, since it enables one to find or make a reason for everything one has a mind to do."

William Salmon called his publication *The Family-Dictionary; or, Household Companion* (London: H. Rhodes, 1695). Salmon was apothecary, doctor, and astrologer, like Nicholas Culpepper, whose Englishing of the Latin pharmacopeia of the College of Physicians Salmon continued to the displeasure of that body. Salmon begins by attacking quacks, since the best defense is an offense, and then lays down "exact rules . . . for curing the several diseases . . . incident to men, women, and children." This done, he hurries to "directions for cookery . . . the whole art of pastry, conserving, candying, confectionery . . . all sorts of English wines . . . and the mystery of pickling." Salmon's happy choice of title announces the advent of new variants in the nomenclature of the cookbook.

There are other books whose titles catch the eye. Philibert Guybert's *Toutes les oeuvres charitables* (Lyon: P. Bailly, 1640) appeared in English translation as *The Charitable Physician* and was then subtitled "*the Manner to Make and Prepare in the House with Ease and Little Expense all the Remedies Which are Proper to all Sorts of Diseases.*" Guybert is a "charitable physician" because professor of pharmacy at La Charité. In Bernhard Swalve's *Querelae ventriculi renovatae* (Amstelaedami: apud Joannem Janssonium à Waesberge, 1675) the stomach has a quarrel with both doctor and patient. Swalve, a ship's doctor who lived unquietly in Hamburg, again shows his quirky humor in a work not in this collection, *Alcali et acidum, Naturae et artis instrumenta pugilica,* whose subtitle can be translated as "Nature and Art's Boxing Gloves."

The gastrologist recommends a few purely literary works to inform the gastronomer's mind and divert his spirit. One of these, the *Mensa philosophica que tractat de his quibus utimur in mensa* (Bergamo: Impressus Venetiis a Simone ex Luere, 1514), when Englished in 1649 was entitled *Philosopher's Banquet Newly Furnished with Several Dishes.* The sixteenth-century editions of the *Mensa philosophica* attribute authorship to Theobald Anguilbert; the seventeenth-century editions to Michael Scott. The first is thought to resembled the first part of the motion. The second part, concerning ports of entry, was dropped by the committee.

Four motions in Butler's papers seem to relate to matters in which Elbridge Gerry was particularly interested. A brief one, in what appears to be Gerry's hand, stated: "provided that no Monopoly be granted or trading Company established." Although it is impossible to date this motion, the same prohibition appears as the sixth item in Gerry's enumeration of his objections to the Constitution on September 15, 1787: "Commercial powers authorize monopolies and Companys."[18]

Gerry was one of the Convention's most fervent champions of the public creditors. In an acrimonious newspaper controversy with Oliver Ellsworth after the Convention ended, Gerry asserted that at the Convention he had proposed that "the public debt should be made neither better nor worse by the new system, but stand precisely on the same ground by the Articles of Confederation."[19] Madison's notes indicate that Gerry could have made such a proposal on August 18, or perhaps on August 21.[20] In Butler's records there are three motions, none in Gerry's hand, which seek to compel the government under the Constitution to pay the debts incurred by the government under the Confederation. One of them is the precise motion—"The Legislature shall fulfill the engagements and discharge the debts of the United States"—which was adopted on August 22 at the suggestion, Madison recorded, of Gouverneur Morris.[21] The two other motions appear to be related to motions made on the same subject on August 21 and 25, but in neither case is the language identical.[22]

Two more motions command our attention. On August 29 Butler moved the fugitive slave clause, which was adopted unanimously, with almost no debate.[23] He is said, therefore, to be the author of the clause. Yet a draft motion—demonstrably in another hand and which is a preliminary version of the clause— exists among his papers. Its author would seem to challenge Butler for the dubious honor of being the father of the fugitive slave clause. The motion states:

> wheresoever any person bound to service or labour in any state, shall flee into another state [it shall be lawful for the person entitled to such service or labour to reclaim and recover him] he shall not be thereby discharged from such service or labour: but the legislatures of the several states shall make provision for the recovery of such person.

In many ways the most interesting of all the motions preserved by Butler was the following one of which no trace appears in Farrand's *Records:*

> Resolved that it is the opinion of this convention that the strictest friendship and Alliance, as well offensive and defensive should subsist between the States of America. Resolved that it is the Opinion of this Convention that the Territory of the States is too extensive to consist of One Republic only. Resolved therefore that it is the opinion of this Convention that the Security of equal liberty and general welfare will be best preserved and continued by forming the states into three Republicks distinct in their Governments but United by a Common League Offensive and Defensive.

Was such a resolution ever introduced at the Convention? James Madison denied that it was. "No proposition was made," he wrote Jefferson on October 24, 1787, "no suggestion was thrown out, in favor of a partition of the Empire into two or more Confederacies."[24] The resolution could have been made in committee (although Madison would probably have learned of its introduction there); most likely, it circulated privately. The identity of its author is a mystery. It appears to be in Butler's hand, but he could have copied it. There were persistent reports that Patrick Henry and his followers in Virginia favored dividing the country into three confederacies, but no Convention delegate is known to have espoused such a position.[25] Whatever its origins, the resolution further documents the apprehension of the majority of the delegates that disunion might result if they failed to produce an effective instrument of national governance.

Finally, among Butler's records are two documents (printed below): one proposing revisions of the Constitution, the other listing its objectionable features. The revisions are a variation of a memorandum which George Mason gave the Maryland delegates toward the end of August.[26] The objections are not known in any other form. It is unlikely that Butler composed them, because they contradicted positions which he had taken earlier in the Convention—he strongly supported a single executive, for example—but who their author was cannot be established.

It is remarkable that so large a number of documents in Butler's papers reflect an anti-Federalist orientation: the commercial motion of the Maryland delegation in which Luther Martin was a leading figure, the motions embodying Elbridge Gerry's pet projects, the triple confederacy resolution breathing the spirit of Patrick Henry, and the memoranda of George Mason and of another member dissatisfied with the course of the Constitutional Convention. Could Butler have been a closet anti-Federalist whose ultimate assent to the Constitution was given grudgingly? His speeches at the Convention do not permit an unqualified answer: he expressed solicitude for the states being overwhelmed by the national government, but he also declared that he was willing "to go great lengths" in augmenting the national power.[27] Yet the concentration of anti-Federalist documentation in his records cannot have been accidental. Perhaps he was the "honorable member from South Carolina" who sat in on an anti-Federalist caucus which began meeting in August. According to Luther Martin,

> a number of members who considered the system, as under consideration and likely to be adopted, extremely exceptionable, and of a tendency to destroy the rights and liberties of the United States, thought it advisable to meet together in the evenings, in order to have a communication of sentiments, and to concert a plan of conventional opposition to, and amendment of that system, so as, if possible, to render it less dangerous.[28]

If Butler was present at these meetings, the character of the documents in his records is explained. What kept him from following Martin, Gerry, and Mason into open opposition to the Constitution or how strong his dissatisfaction with it really was is impossible to ascertain.

What can be said in summary about Pierce Butler's records of the Federal Convention? The principal point which they illustrate is that the value of Convention records is not determined solely by the quality of their notes on debates. Perhaps the best that can be said of Butler's notes is that they are too cryptic to be enlightening. Yet the remainder of his records provide valuable new information about the Convention. And here is their "lesson." In seeking documentation for the Constitutional Convention, historians, following Farrand, have concentrated too exclusively on the debates. Finding little new debating material, they have concluded that there is little left to learn about the Convention, that Farrand's *Records,* with the addition of Strayer's Lansing, are definitive. Pierce Butler's records show that by going beyond the debates to the marginalia on convention documents, to draft resolutions and motions, to incidential papers—all of which must exist in the papers of the delegates to the Convention—students can make the Constitutional Convention yield up more of its secrets.

*Butler's Notes on the Debates*

May the 30th 1787

Resolved therefore that a National Government ought to be established, consisting of a supreme legislature, judiciary & executive

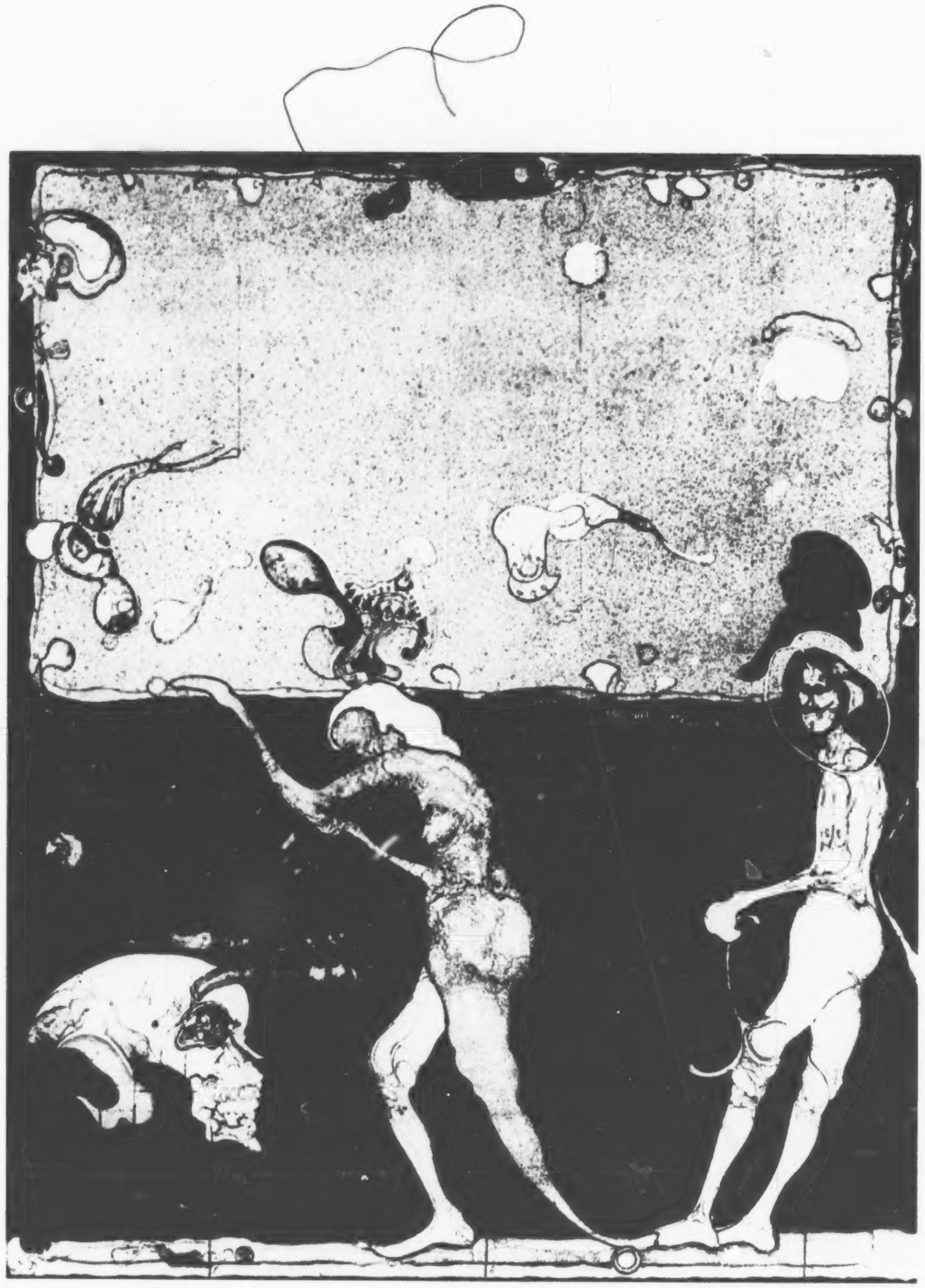
- Resolved that the Representation in the National Legislature be not according to the present system
- Not agreed to

June 4th

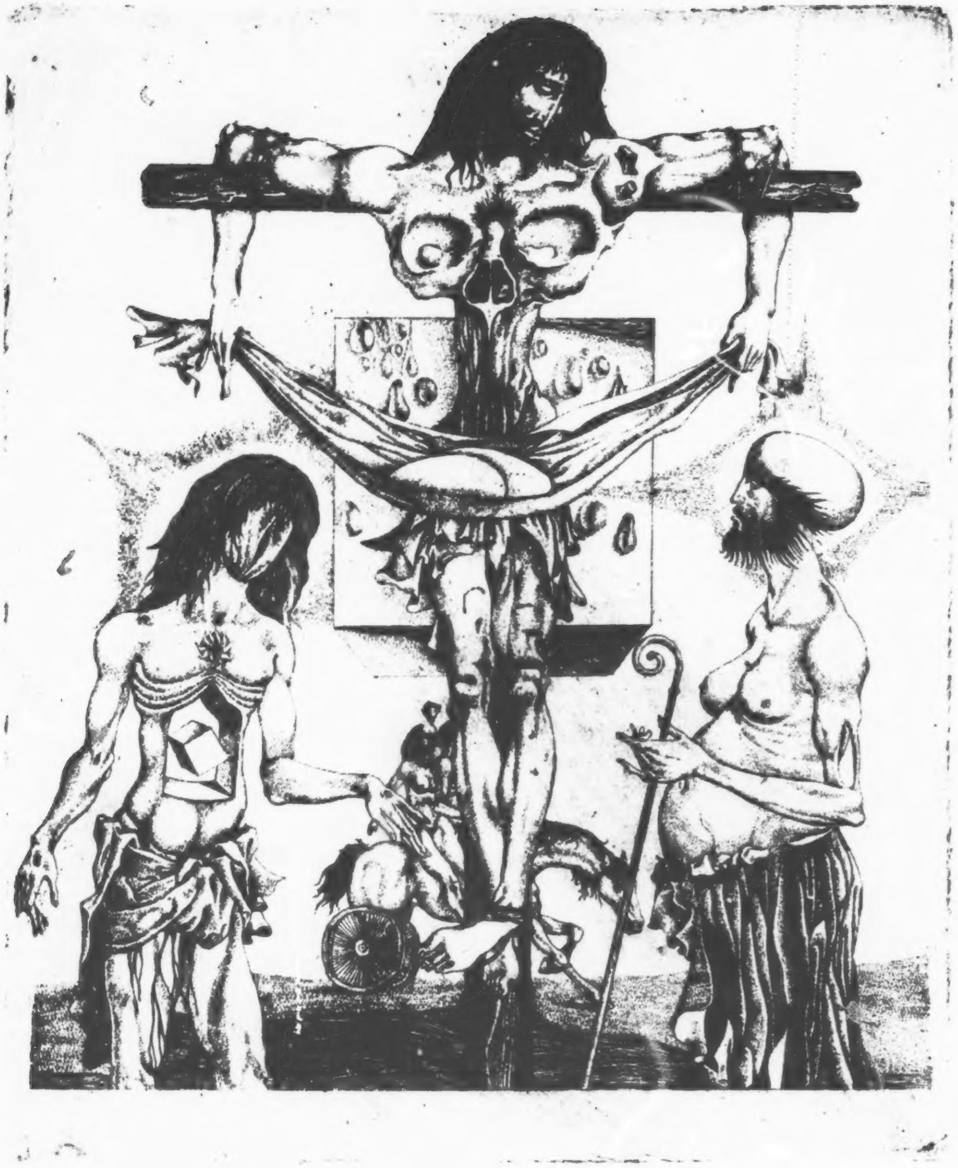
Sir We

June the 7th 1787

Mr. Guery. No Matter That the Value of the Landed property depends on the Encouragement given the Trade. Ergo it must not be shackled. The State Government Mr. Willson says will be rivals of the National surely they will be more jealous of them if they have no hand in creating them



*Vladimír Gažovič,* Il Ballo delle Ingrate II *(1972), color lithograph.*



*Jan Krejči,* Eli, eli, Lama Zabachtami? *(1966), etching.*

International competitions and exhibitions gave the Yugoslavs their first reexposures to foreign art. With the establishment of the International Biennial of Graphic Art in Ljubljana in 1955 these artists felt ready to be measured against leading printmakers the world over. Within a few years a number of Yugoslav printmakers' names were household words to anyone involved in graphic arts.

Yugoslavia is perhaps the most international of the Eastern Block countries. There have never been the restrictions on its people that the Poles, Czechs, and others have had to cope with. Yugoslav artists have demonstrated an eagerness for communication—direct communication—with works of art rather than verbiage *about* their art.

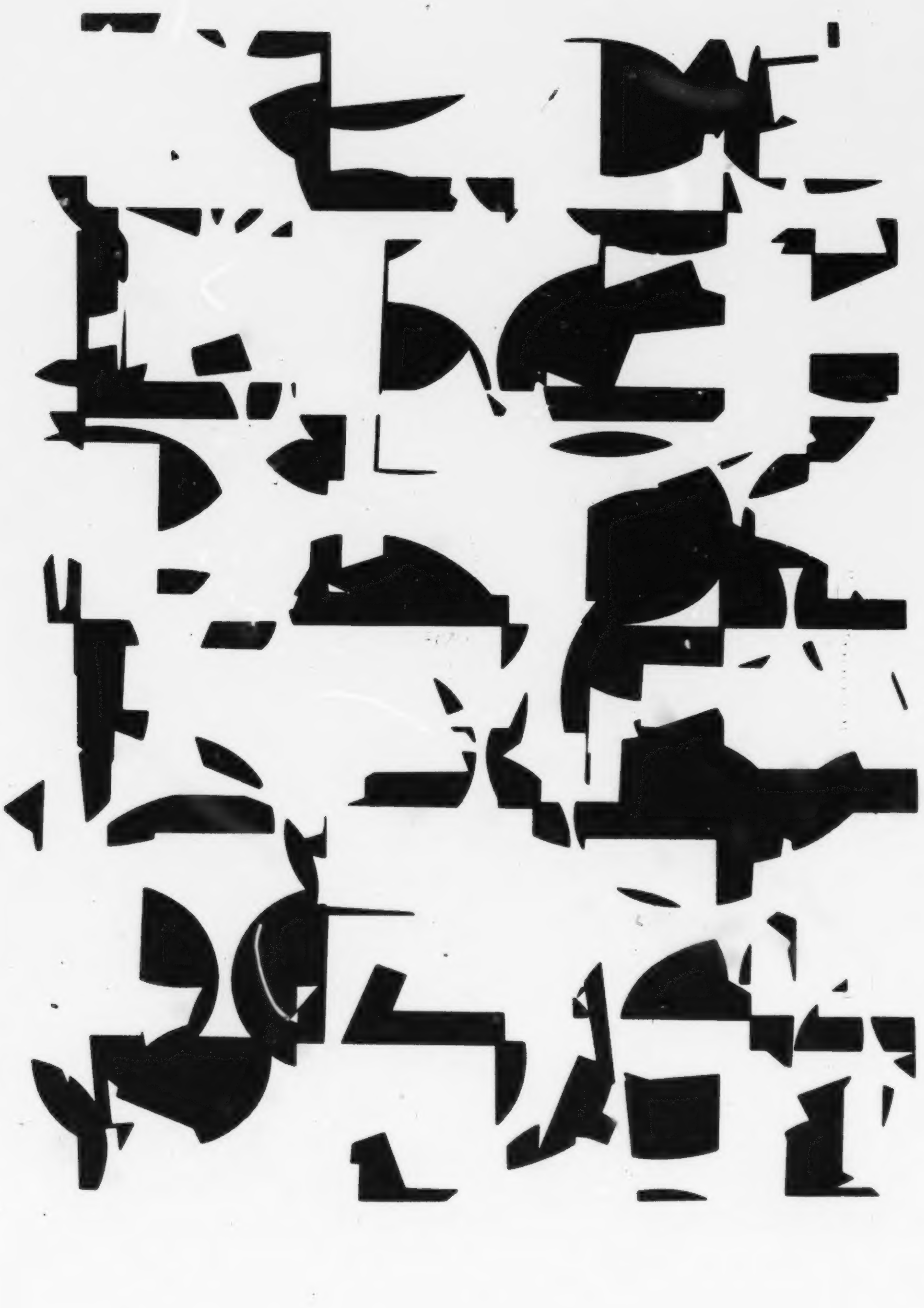
Many Yugoslav prints are abstract, others are figurative, and still others are dreamlike. In all of them there is a substance that attracts and holds our attention. Since a number of prints are illustrated here, they can speak for themselves—although subtleties are obviously lost in reproduction. There is more nonfigurative work in Yugoslavia than in the other Eastern countries, a greater use of color, and more purely geometric work. National characteristics based on the nature of the images—once not so difficult to define—became more elusive by the end of the 1960s and with the passage of the seventies.

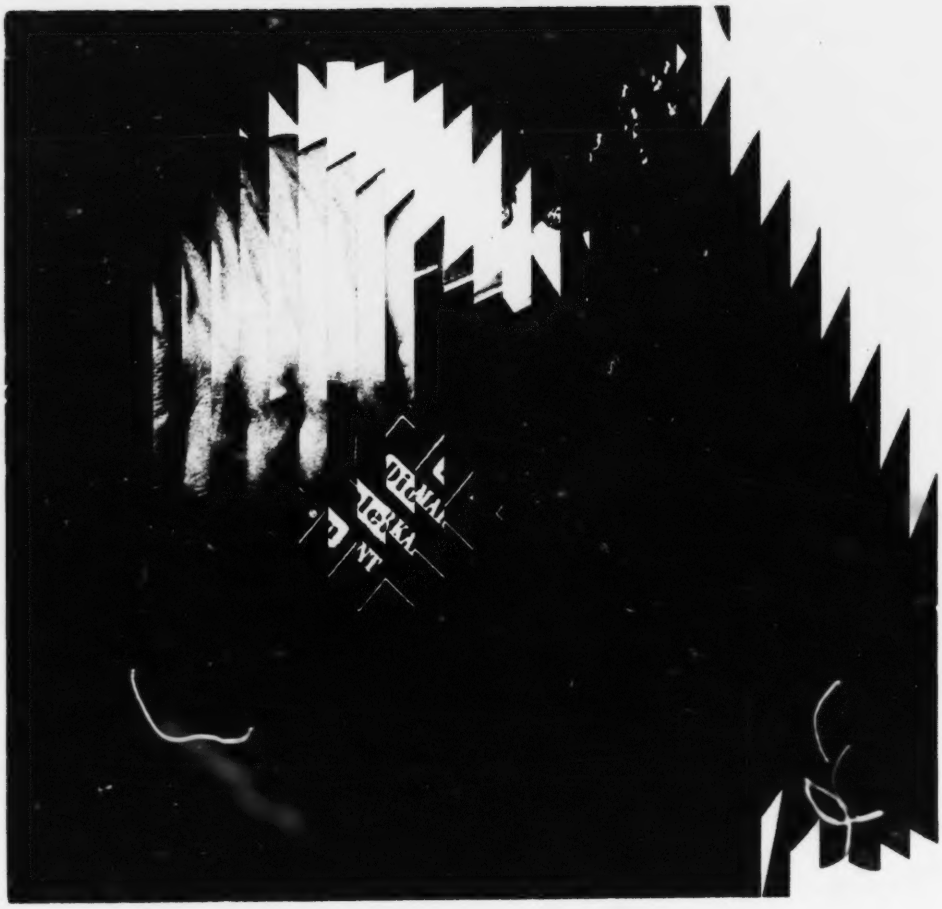
The bold work of Riko Debenjak (b. 1908) is easily understood in all art centers of the world. He was experimental and yet classic as he moved from representational to abstract images. He mastered various techniques. He often included elements from folklore in his works, and he has a great color sense. Like many of the other Yugoslav printmakers he is also a painter. He has won numerous prizes in his native country and as far away as São Paulo and Tokyo.

Andre Jemec (b. 1934) does fluid, sensuous silkscreens that offer a contrast to Debenjak's work and to the work of Janez Bernik (b. 1930). Man's spirit and the power of man's communication, seen in the use of letters in the print illustrated, are important elements in Bernik's very rich prints and paintings. He is another

*Miroslav Sutej,* Bum Bum *(1967?), serigraph.*

*Ivan Chatrny,* Untitled *(196–), serigraph.*





*Jiří Kolař,* Hand *(1969), rollage.*

**CZECHOSLOVAKIA** (continued)

Vladimír Gažovič, 1939–

*Il Ballo delle Ingrate I.* [1972?]
color lithograph from the *Ricercari* portfolio
LC purchase

*Il Ballo delle Ingrate II.* [1972?]
color lithograph from the *Ricercari* portfolio
LC purchase

*Each Fifth.* 1973.
color lithograph
LC purchase

*Homage to Josef Sudek.* 1978.
color lithograph
LC purchase

[*To See and Touch*] 1974.
color lithograph

**CZECHOSLOVAKIA** (continued)

Jiří John, 1923–1972.

[*Eclipse*] 1967.
drypoint

*Feuillage.* 1966.
drypoint

[*Reeds*] 1971.
drypoint

[*Time of Butterflies*] 1966.
drypoint

[*Untitled*] 1968.
drypoint

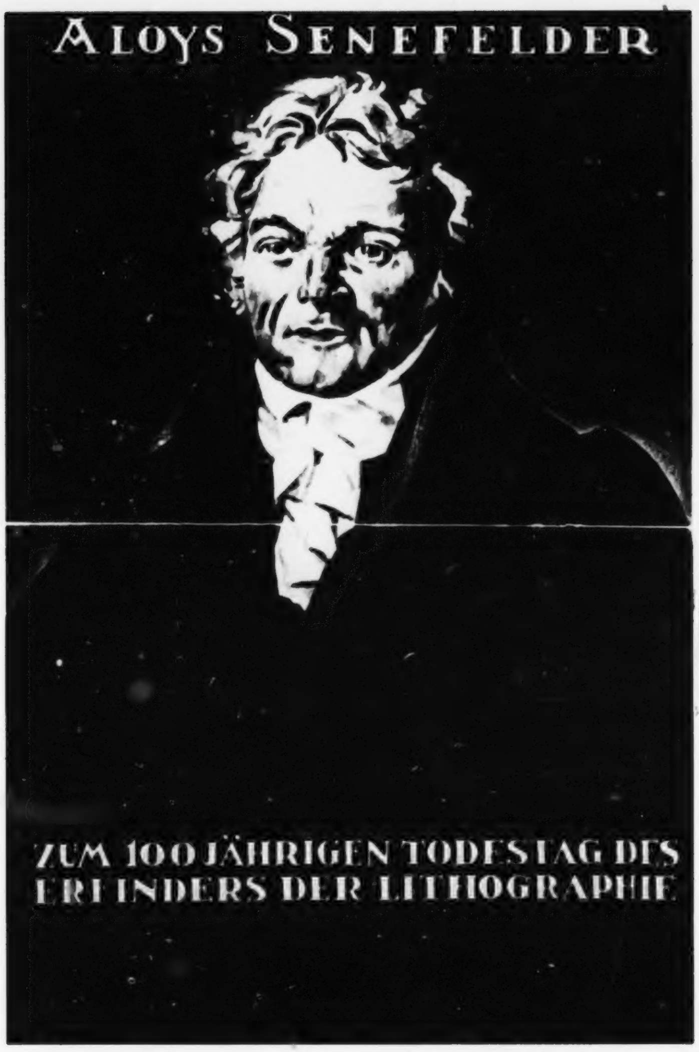
Cestmir Kafka, 1925–

*Čeřeni V.* 1975–76.
monotype

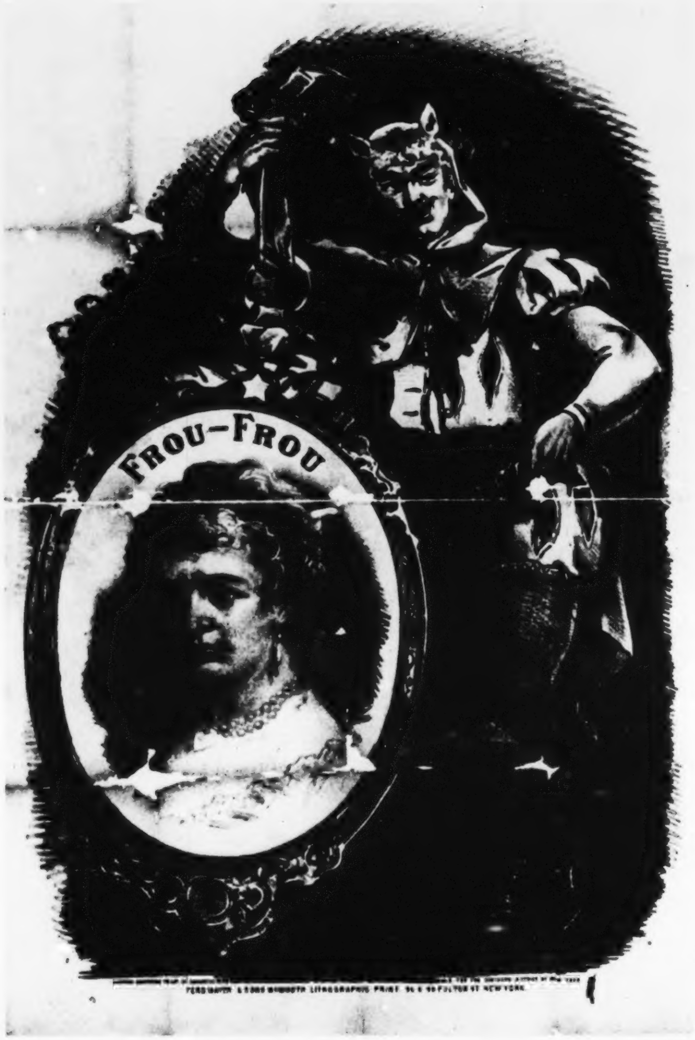
7

*Anna Socha Jelonic,* Sciete Drzewo, III *(197–), lithograph.*

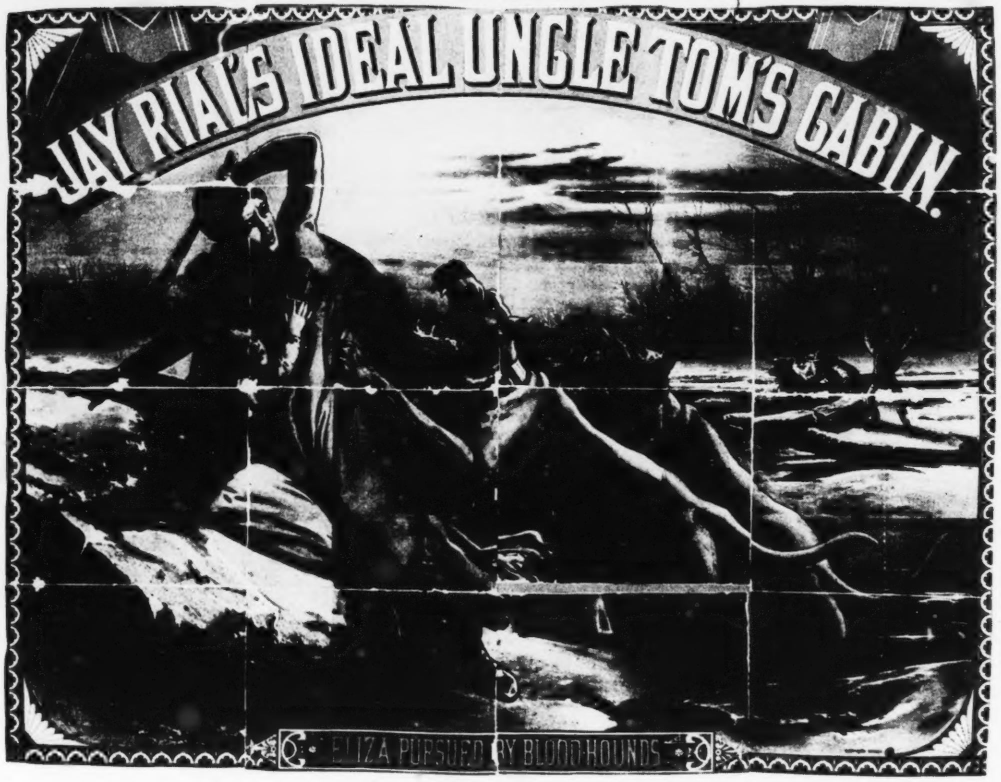
*Janez Bernik,* Note 64b *(1964), color etching.*


ALOYS SENEFELDER
ZUM 100 JÄHRIGEN TODESTAG DES ERFINDERS DER LITHOGRAPHIE

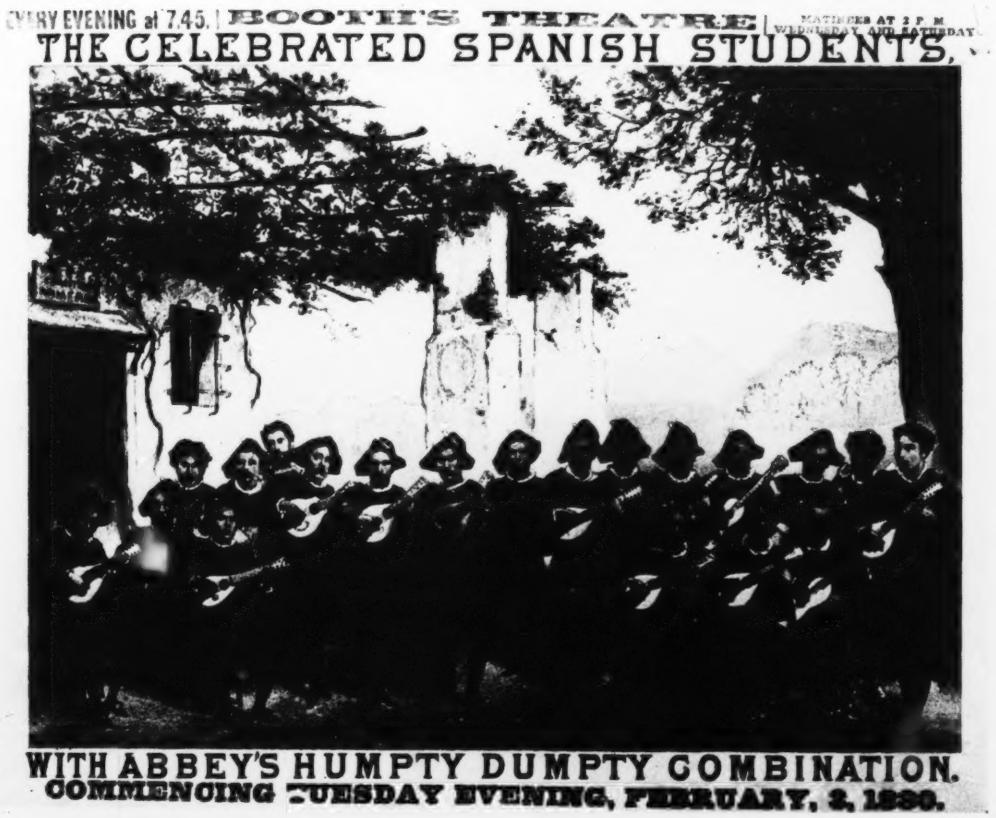
**Aloys Senefelder,** *1934 (artist: Ludwig Hohlwein; Mandruck A. G.; offset lithograph). A hundred and fifty years ago, Senefelder, known as the father of lithography, wrote: "I desire that soon lithography shall spread over the whole world, bringing much good to humanity, and that it may work toward man's progress but never be misused for evil purposes. This grant the Almighty! Then may the hour be blessed in which I invented it!"*



**Frou-Frou,** *1870 (artist: Peter Kramer; Ferdinand Mayer & Sons; lithograph). Adapted from the 1869 play by Henri Meilhac and Ludovic Halévy, Frou-Frou was first performed in February 1870 and was Augustin Daly's first success. It was one of only two Daly plays to achieve an initial run of over a hundred performances. The production starred Agnes Ethel, who was so enthusiastically received that the musicians had to be placed beneath the stage in order to provide extra seats.*


JAY RIAL'S IDEAL UNCLE TOM'S CABIN.
ELIZA PURSUED BY BLOOD-HOUNDS

**Uncle Tom's Cabin,** *produced by Jay Rial, 188– (artist: Matt Morgan; Strobridge & Co. Litho.; lithograph). "I have considered your application and asked advice of my different friends," wrote Harriet Beecher Stowe in response to a request to dramatize her book. "The general sentiment [is] that it would not be advisable. It is thought, with the present state of theatrical performances in this country, that any attempt on the part of Christians to identify themselves with them will be productive of danger to the individual character and to the general cause." Stowe never received any royalties for her dramatic rights to* Uncle Tom's Cabin.


EVERY EVENING at 7.45.
BOOTH'S THEATRE
MATINEES AT 2 P.M. WEDNESDAY AND SATURDAY
THE CELEBRATED SPANISH STUDENTS,
WITH ABBEY'S HUMPTY DUMPTY COMBINATION.
COMMENCING TUESDAY EVENING, FEBRUARY, 2, 1880.

**Abbey's Humpty-Dumpty,** *1881 (artist: Matt Morgan; Strobridge & Co. Litho.; lithograph). Matt Morgan (1839–1890), an English cartoonist, came to the United States to create political cartoons for Frank Leslie's weekly. Morgan's enduring success, however, was in the areas of scene painting and poster art. In 1880 he went to work for Strobridge & Company in Cincinnati. Much of Morgan's work is signed, an unusual occurrence for the era, indicating in what high esteem Strobridge held his work.*

pound George Fortesque as the female lead.

Emigrating to the United States in 1873, the Kiralfy brothers, Imry, Bollossy, and Arnold, worked in theater for two years before deciding to create their own extravaganzas. Arnold had danced in *The Black Crook* and his two brothers had worked as harlequins in *Humpty-Dumpty.* Thus they all had a keen sense of theatrics. They opened successfully in 1875 with Jules Verne's *Around the World.* Later, they produced *Excelsior* (1883) using novel electrical effects by the Edison Light Company, installed under the supervision of Thomas Edison. They also did their own version of *The Black Crook.*

After some exposure to the basically European tradition of comic opera, American playwrights attempted to create their own. *A Trip to Chinatown*(1899), written by Charles Hoyt, was one of several hit musicals, essentially about low life in the city. The play had a flimsy plot, revolving around an uncle and his nephew meeting the same woman in different rooms of a restaurant. It featured the famous Butterfly Dance performed by Löie Fuller and satirical vignettes about women's rights and the temperance crusade. The music drew in the crowds, including such hits as "Reuben, Reuben, I've Been Thinking" and Charles K. Harris's "After the Ball." In addition to its having been the first popular American song to sell five million copies of sheet music, "After the Ball" had the distinction of being the first hit by virtue of payola. Harris paid $500 and a share of the royalties to get his song into the show.

While sophisticated New York theatergoers enjoyed extravaganzas and combinations, their rural counterparts were still captivated by the old chestnuts. *East Lynne* (1881) was a melodrama whose popularity did not diminish for fifty years. The story concerns an unreasonably

**Around the World,** *1882 (Forbes & Company; lithograph). In 1875, the Kiralfy Brothers opened in New York's Academy of Music with their dazzling production of Jules Verne's* Around the World in Eighty Days. *The show brought unprecedented realism and spectacle to the American stage. "Nothing so splendid has ever been seen in this city," marveled a New York critic.*

RO'S. "AROUND THE WORLD".

*'jenceslav Richter,* Sespo A *(197–),* *erigraph.*

artist whose merits have been recognized the world over. Bernik, like Debenjak, places greater importance on design and textural quality than on drawing.

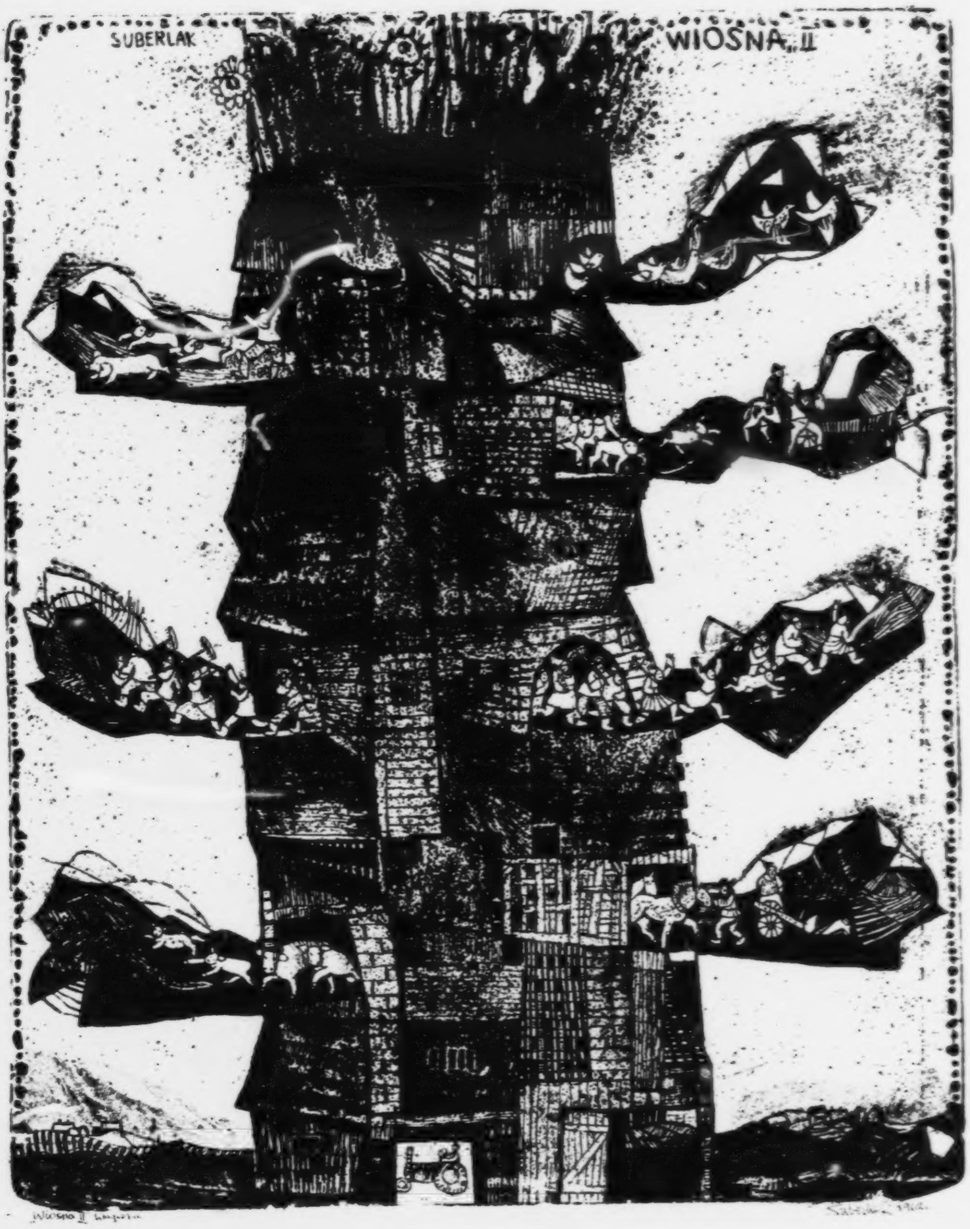
Illustrated are two of Miroslav Sutej's large silkscreens. They provide an interesting contrast. Sutej (b. 1936) creates visual effects of distortion, producing bulges in some areas that pass through planes and space in the color print. The process of a visual transformation gives dramatic feeling to the picture. Another has five moving parts and one stable one: by adjusting any or all of the five one makes a literal transformation of the image.

The square format used by Vjenceslav Richter (b. 1917) is generally a lifeless one, but his subtle colors and the slow movement created by the rhythm in the illusion of undulating cloth give this image life and elegance. Richter is also an architect and a sculptor.

These artists' works can be found outside of Yugoslavia, but it is highly recommended that print connoisseurs visiting the country between May and August in odd numbered years see the Ljubljana biennial—the world's largest print show.

* * *

Poland is well known for its music, its weavers, its poster art, its designers, and its printmakers. Every second year an enormous poster show is held in Warsaw at the same time the print show is held in Cracow. Satellite exhibitions are held in both cities honoring prizewinners from the previous shows, showing new trends and techniques, and displaying the works of local artists. In Katowice, an industrial city long without an artistic life, a show containing a work by each of the artists represented in the biennial has been such a success that other exhibitions are being requested on a regular basis. The summer



*Stefan Suberlak,* Wiosna II *(1962), lithograph.*

months of even-numbered years are therefore richly rewarding times for the print collector to visit Poland.

Immediately following World War II the inclination of Poland's printmakers was to follow tradition. Cracow emerged as the cultural and intellectural center of Poland. To say *emerged* is misleading, however—*reemerged* is a better term. Cracow had been such a center since the founding of the Jagiellonian University there in the fourteenth century. The more traditional artists followed the social realist style but simultaneously students at the Cracow Academy of Art rebelled, initiating a different form of realism based on the use of the photographic lens.

Polish prints are expressive and strong, often displaying a bent toward the metaphorical. Because Polish art works achieved considerable success abroad in 1959, that year has been called the turning point in Polish art.

Wlodzimierz Kunz (b. 1926) and Lucjan Mianowski (b. 1933) made serene lithographs that are among those rather realistic Polish landscapes that have now stood the test of time.

Woodcut artist Jerzy Panek (b. 1918) creates his own poetic realism using characteristic bold images. His people and animals have psychological as well as physical content. He considers

## CZECHOSLOVAKIA (continued)

Jiří Kolař, 1914–

[Apple. 19]69.
chiasmaged object
by subscription

[*Pear*. 19]69.
chiasmaged object
by subscription

[*Hand*. 1969]
rollage

Jan Krejči, 1942–

*Eli, Eli, Lama Zabachtami?* 1966.
etching

*Miss America*. 1976.
etching
LC purchase

*Rainbow Gate* [self-portrait] 1970.
etching and drypoint
LC purchase

## CZECHOSLOVAKIA (continued)

Alena Kučerová, 1935–

[*Doorway*] 1968.
perforated punched plate

[*Horse*] 1972.
perforated punched plate

[*Beddings*] 1969.
perforated punched plate

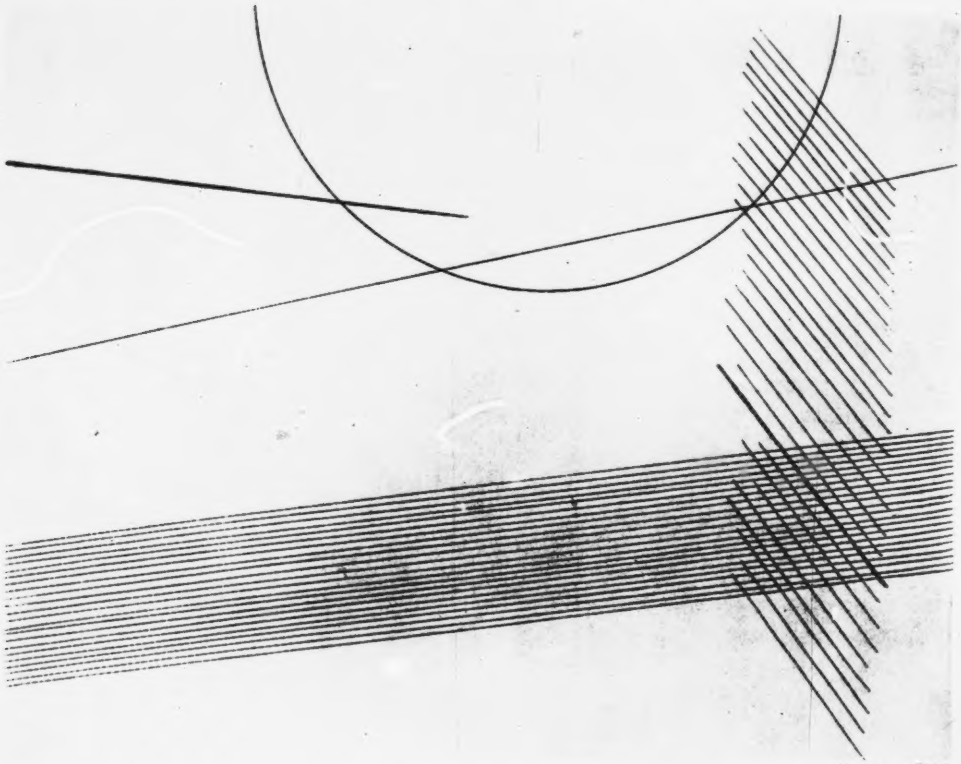
[*On the Seashore*] 1969.
perforated punched plate

[*Sauna*] 1969.
perforated punched plate

Oldřich Kulhánek, 1940–

*Ardo, Avvampo . . .* 1972.
color etching from the *Ricercari* portfolio
LC purchase

*Gira il Nemico Insidioso*. 1972.
color etching from the *Ricercari* portfolio
LC purchase



*Karel Malich,* Untitled *(1969), etching.*

*Lubomir Pribjl,* Gravure concrète 25 *(1964), intaglio.*

## SOVIET UNION

Mare Vint, 1942–

*Field in Snow.* 1975.
lithograph
LC purchase

Yuril Vasihev, 1925–

[*Pushkin in Mikhailouskoe.* 19]60.
linoleum cut

Gurii Filipovich Zaharov, 1926–

[*Dinner in Moscow*] 1962.
linoleum cut

## YUGOSLAVIA

Janez Bernik, 1933–

*Biciklist.* 1970–71.
color intaglio

*Muhe.* 1969.
intaglio (shaped plates)

*Nosozos.* 1970.
color intaglio

[*Note 209*] 1962.
color etching and aquatint

[*Note 64b*] 1964.
color etching

[*Petita*?] 1967.
intaglio (shaped plates)

*Stol.* 1969.
color intaglio

Bogdan Borcic, 1926–

[*The Chronicle of Night Fishing II*] 1965.
color aquatint

## YUGOSLAVIA (continued)

Stojan Ćelić, 1925–

*Velika Temma Poursina* (?). 1969.
color intaglio

Riko Debenjak, 1908–

*Association.* 1962.
aquatint

*Petit Peigne.* 1962?
color intaglio

*Plesen.* 1965.
color etching and aquatint

[*Udarci I Zarezi*] 1967.
color intaglio

Emil Draguli, 1931–

[*Depart.* 19]68.
intaglio

Dzevad Hozo, 1938–

*Mauresque enflammée.* 1964.
color aquatint

[*Red Turban*] 1964.
color aquatint

Jaki (Joza Horvat)

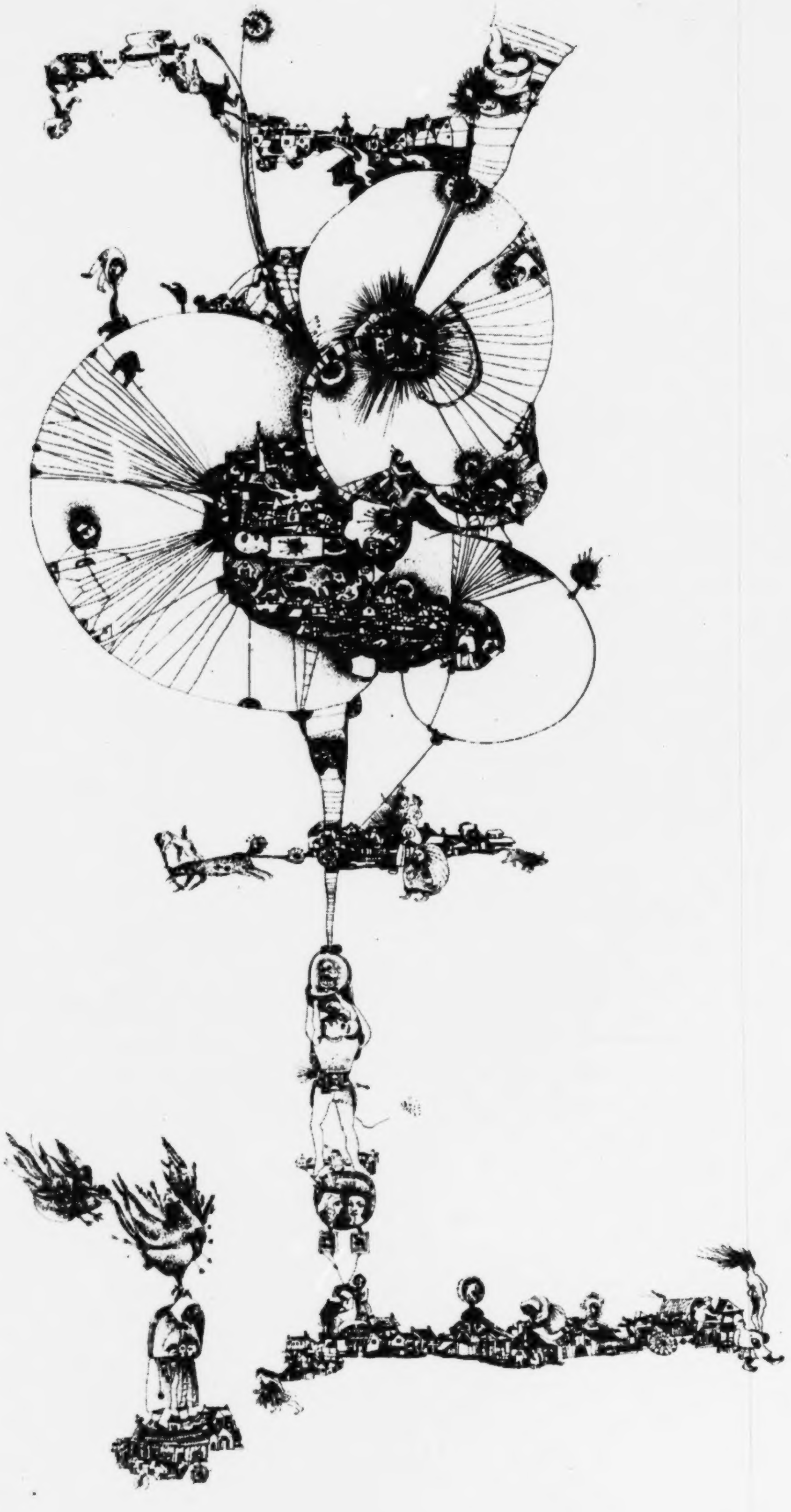
*Mora IV.* 1964.
aquatint

[*War III.* 1966]
negative litho-engraving

Andrej Jemec, 1934–

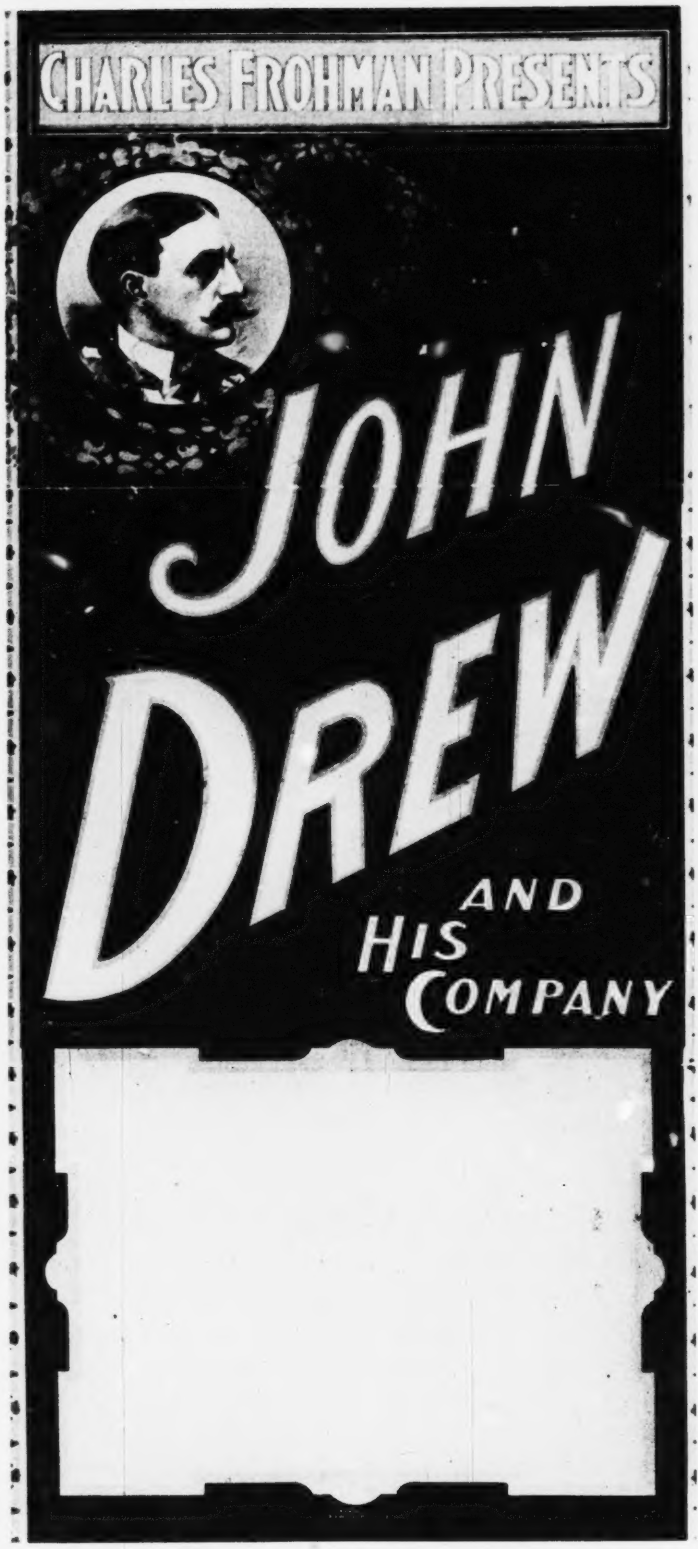
*Osvajanji Prostora.* 1967.
intaglio

[*The Year 1966*] 1966.
aquatint



*Virgilije Nevjestic,* Pad, II *(1965), etching.*

**Whiteley's Hidden Hand,** *1884 (John B. Jefferys; woodcut). Originally produced December 2, 1859, by a company of stock players at the Richmond Theatre in Virginia. Several weeks earlier, the Richmond militia had been ordered to Charleston to guard against any attempts to rescue abolitionist John Brown before he could be executed. A young actor from the stock company disguised himself in a military uniform and traveled with the troops into the Virginia hills. After the execution, John Wilkes Booth returned to Richmond and reentered the cast of the* Hidden Hand.



**John Drew stock poster,** *1898 (Strobridge & Co. Litho.; lithograph). John Drew (1853–1927) excelled at playing sophisticated comedy. He joined Augustin Daly's Company in 1879, where, with Ada Rehan as his leading lady, he became part of one of the most brilliant comedy teams in American theater history.*

gravers and woodcut artists out of business. And, by 1890, zinc plates started to become a serious factor in poster reproduction, when the Russell-Morgan Company of Cincinnati produced most of their posters from zinc plates.

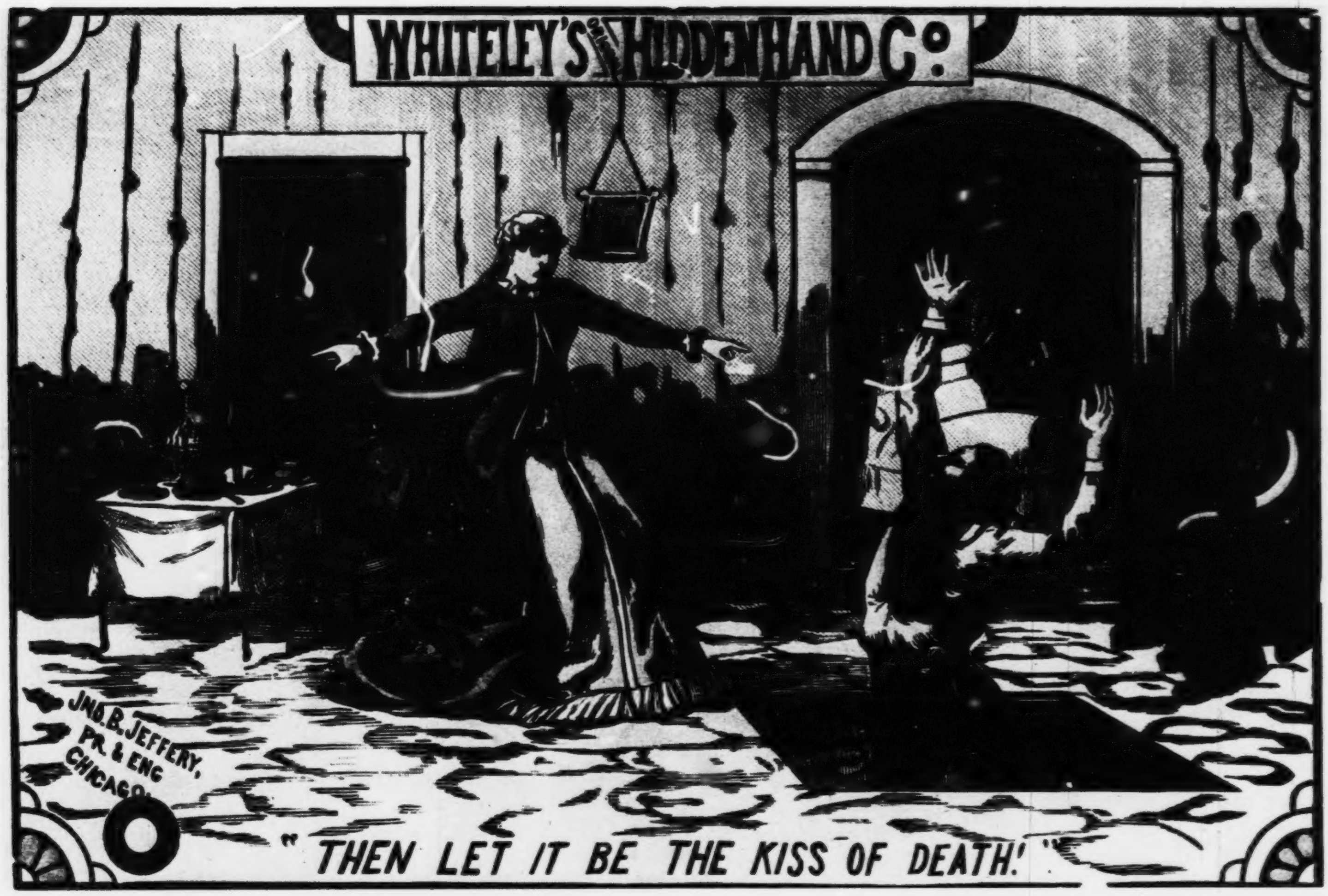
The leading lithographic firm was the Strobridge Company. In his 1898 book *Lithography and Lithographers,* Joseph Pennell wrote, "The great Cincinnati firm of Strobridge was a sort of cradle for many of the more distinguished younger American artists, who as journeymen lithographers received their first training." Strobridge employed Matt Morgan, a leading English lithographer whose satiric drawings for *Leslie's Weekly* rivaled those of Thomas Nast, to design posters for them.

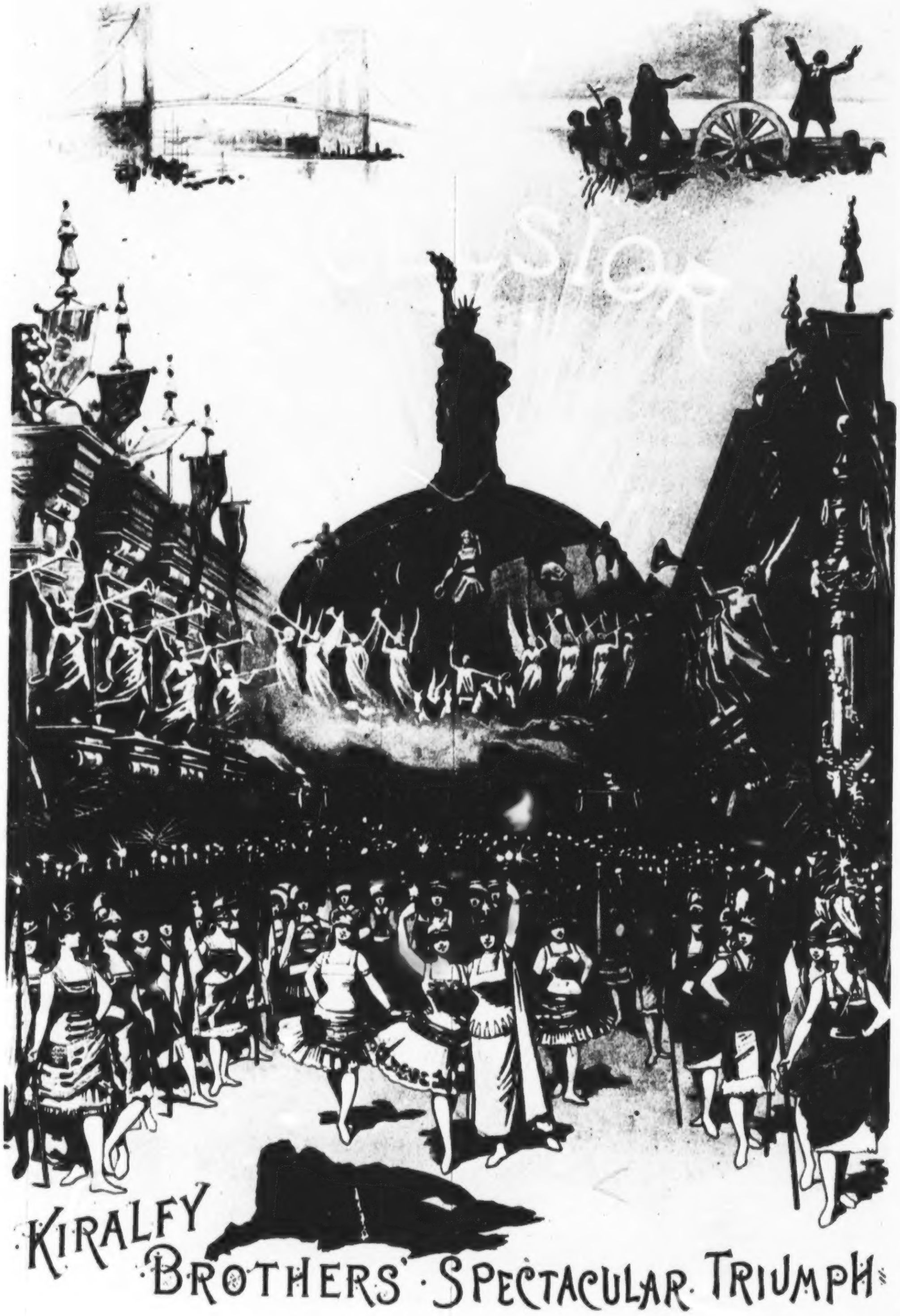
Most of the posters were not signed, and it is the lithographic firms which are remembered today. In addition to Strobridge and Courier, Russell-Morgan, Metropolitan, Hoen, H. C. Miner, John B. Jefferys, Forbes, and Calhoun are firms whose work is of particular interest.

As a popular play became part of standard repertoire, dealers in billboard paper stocked their shelves with posters depicting the most enthralling or emotional scene from the play. The posters needed only a streamer or additional lettering to indicate date, time, and place of performance. Such sheets are known as stock posters.

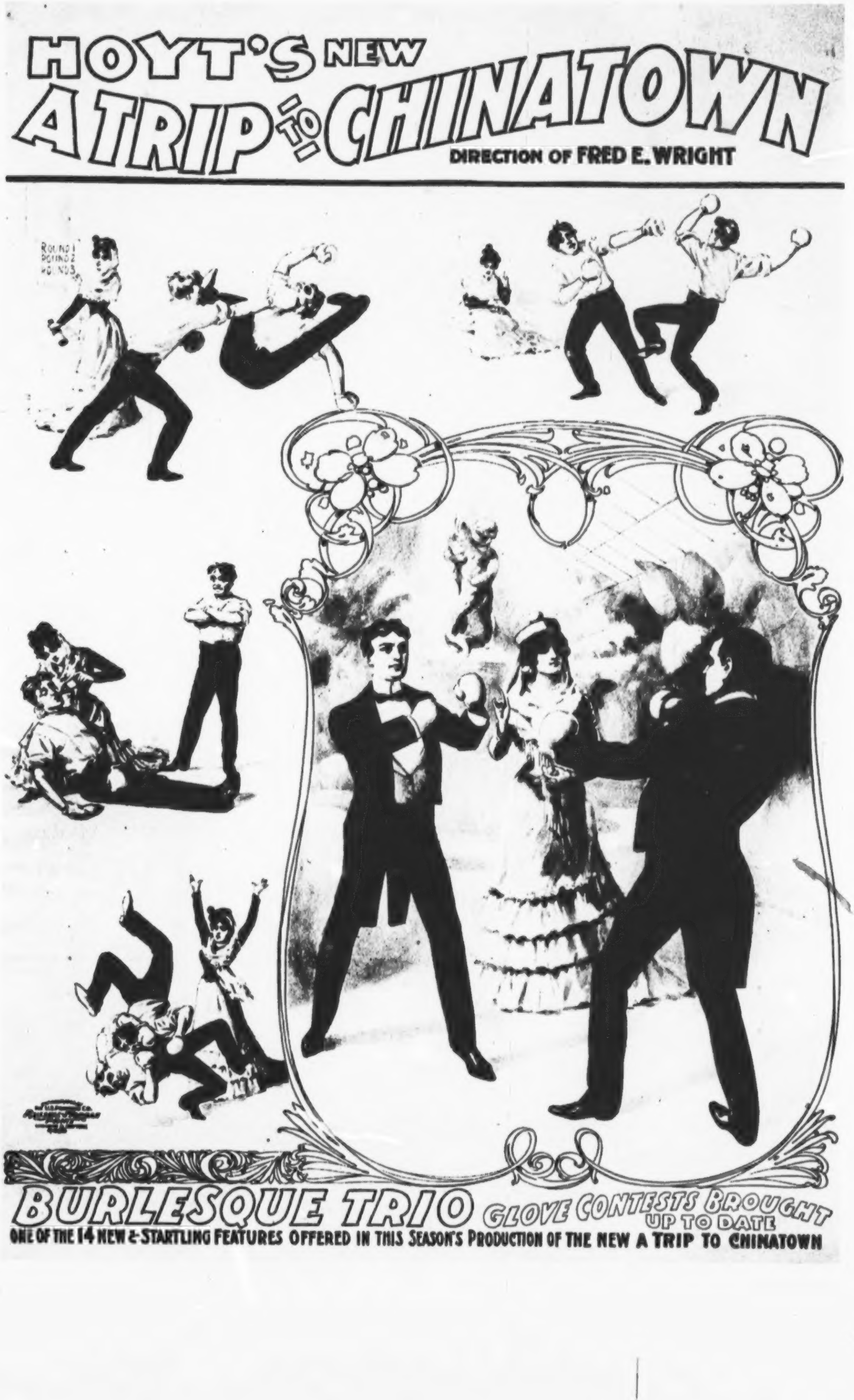
Poster advertising represented one of a theater company's major expenditures. The posters were not inexpensive, costing $8.50 for 100 twenty-eight- by forty-two-inch one-sheet posters and up to $121 for 100 nine-sheet posters. In 1881, M. B. Leavitt, an influential theatrical

**Blue Jeans,** *1899 (Enquirer Job Pr. Co., lithograph). Joseph Arthur's rural melodrama left its imprint on the dramtic sands for two reasons: in it an old man turned the picture of his erring daughter to the wall and the heroine rescued the hero from bisection by the whirling blade of his buzzsaw.*

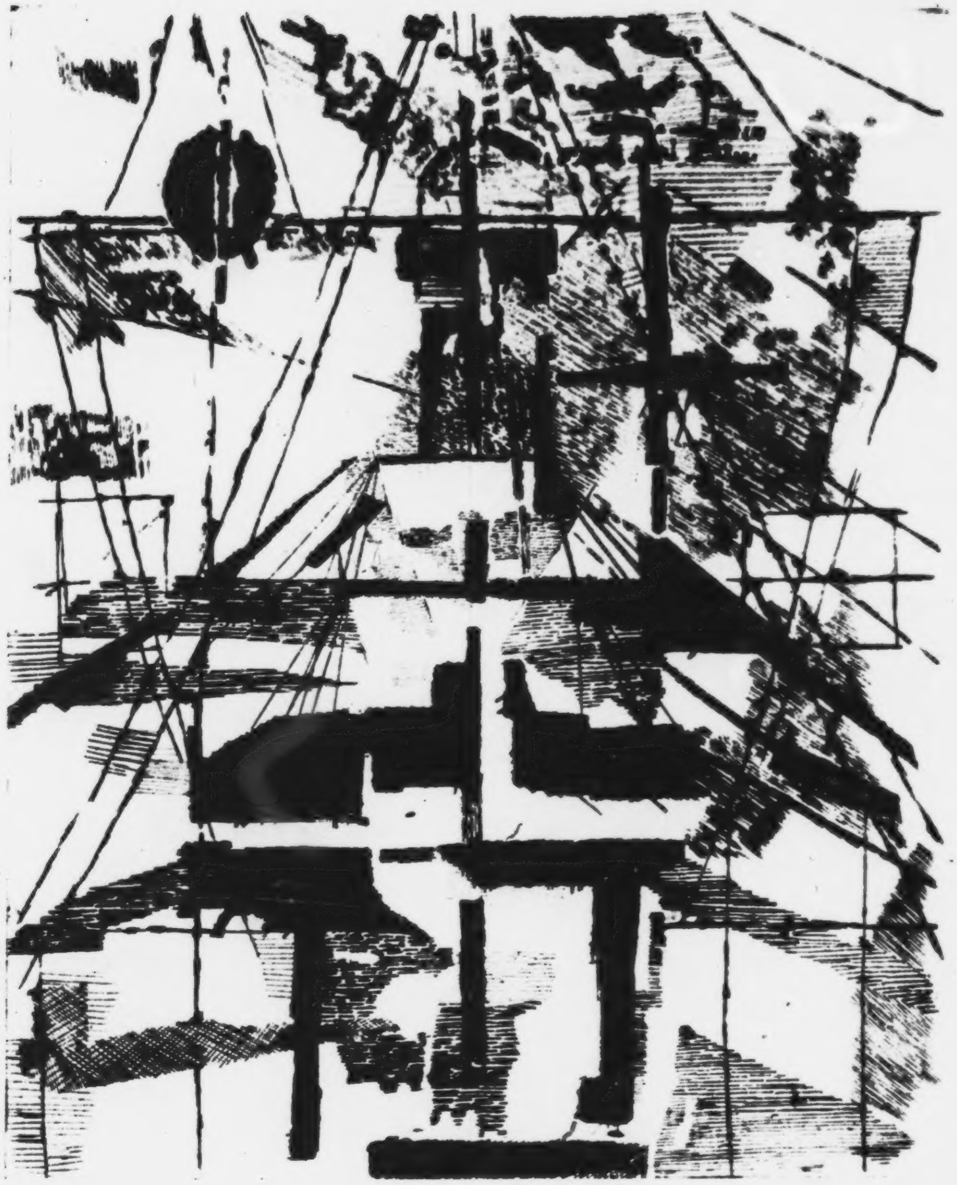

WHITELEY'S HIDDEN HAND CO.
JNO. B. JEFFERY, PR. & ENG CHICAGO.
"THEN LET IT BE THE KISS OF DEATH!"



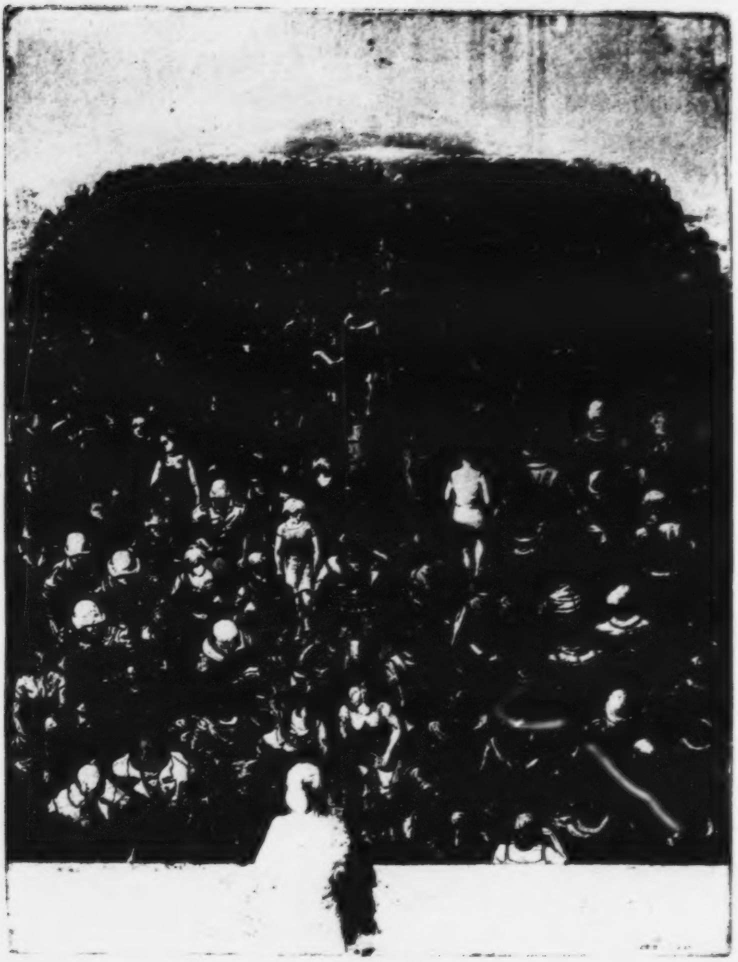
**Excelsior,** *1883 (Forbes & Company: lithograph). In 1883 the Kiralfy Brothers produced* Excelsior. *Electric lighting was a special attraction, although gas still provided the bulk of the illumination. The story featured the rise of modern civilization with twelve lavish production numbers in three acts, culminating in "The Triumph of Light over Darkness and Peaceful Union of Nations."*


HOYT'S NEW
A TRIP TO CHINATOWN
DIRECTION OF FRED E. WRIGHT
ROUND 1
ROUND 2
ROUND 3
BURLESQUE TRIO
GLOVE CONTESTS BROUGHT UP TO DATE
ONE OF THE 14 NEW & STARTLING FEATURES OFFERED IN THIS SEASON'S PRODUCTION OF THE NEW A TRIP TO CHINATOWN

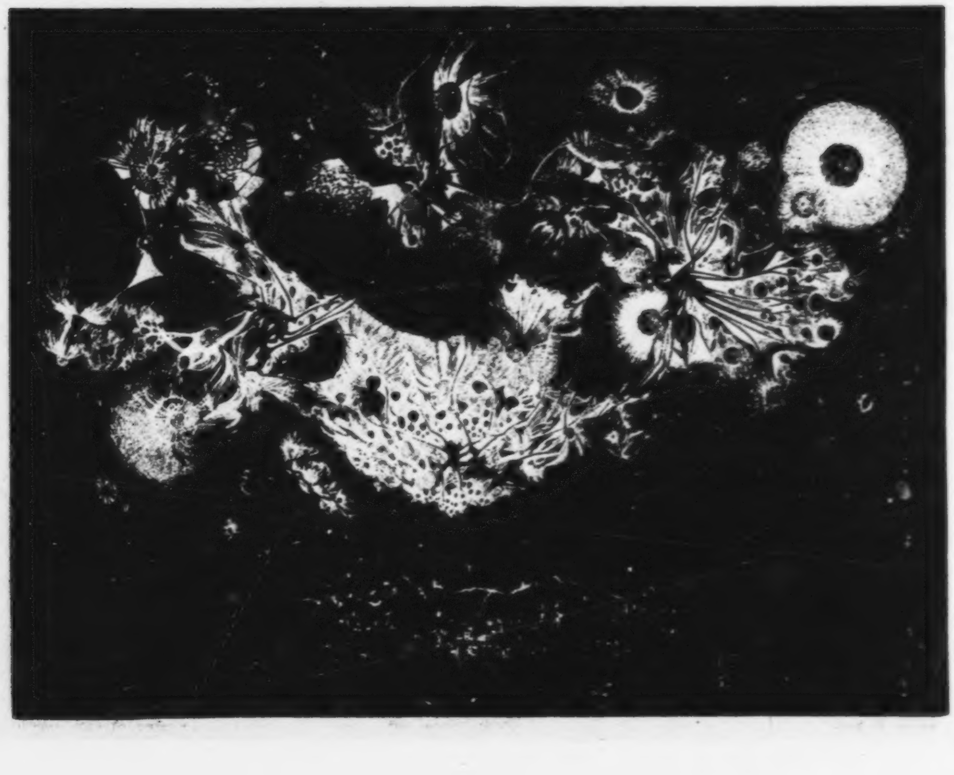
**A Trip to Chinatown,** *1900 (Russell-Morgan Print.; lithograph). Charles Hoyt's hit musical about city life ran for 650 performances after its New York opening in 1890, the longest run of any nineteenth-century production in the nation's entertainment capital. It was the disjointed musical farce-comedy at its best—the final stage before George M. Cohan produced modern Broadway musical comedies in the early twentieth century.*



*Edmund Piotrowicz,* The Ship *(1965), drypoint.*



*Andrzej Pietsch,* Les Voyageurs *(1968), color etching.*



*Joseph Gielniak,* Improvisation for Greazynlea *(1963–64), linoleum cut.*

**CZECHOSLOVAKIA** (continued)

Oldřich Kulhanek, 1940–(continued)

*Hommage à Albrecht Dürer–a Soldier.* 1970.
color etching

*Omaggio (frontispiece).* 1972.
color etching from the *Ricercari* portfolio
LC purchase

*Requiem for Hiroshima.* 1972.
engraving

Karel Malich, 1924–

[*Untitled*] 1969.
etching

Naděžda Plišková. 1934–

[*Amphibian Skeleton Confronting Automobile Chassis*] 1968.
etching

*Mon Mari.* 1976.
drypoint

[*Triptych*] 1967.
drypoint

Lubomir Pribjl, 1937–

*Gravure Concrete 25.* 1964.
intaglio

*Moucheron.* 1962.
intaglio

Milan Ressel, 19–

*Modul.* 1972.
color lithograph

*Ricercari* Portfolio: *Ricercari in Omaggio al Sig. Claudio Monteverdi.* Monteverdi in his eighth Book of Madrigals, the Book of War and Love. Illustrations by Jiří Anderle, Albín Brunovský, Vladimír Gažovič, and Oldřich Kulhánek. (See separate listings under artists' names.)

**CZECHOSLOVAKIA** (continued)

Adriena Šimotová, 1926–

[*Lady with Spectacles.* 19]67.
intaglio

*Soif.* 1976.
color intaglio (shaped plate)

*Soif I.* 1976.
color intaglio

[*Women's Personal Utensils.* 19]69.
intaglio

Milos Urbasek, 1932–

*Couches VII.* 1962.
color intaglio

**GERMAN DEMOCRATIC REPUBLIC**

Carl Friedrich Claus, 1930–

*Raum und Zeit in Schriftsprache.* 1978.
etching
gift

Thomas Ranft, 1945–

*Raumspuren.* 1977.
intaglio
gift

Hans Theo Richter, 1902–

[*Girl's Head.* n.d.]
lithograph
gift

Max Uhlig, 19–

*Kopf.* 1978.
lithograph
gift

**HUNGARY**

Arnold Gross, 1929–
[*Conversations on Friendship.* 1967]
intaglio

*Danuta Kluza,* Le Jardin *(196–), etching.*

**YUGOSLAVIA** (continued)

Andrej Jemec, 1934–(continued)

[*Gradation vers la lumière*] 1974.
serigraph

Mesko Kiar, 1936–

*Document sur les mains de l'homme: Décoration monumentale d'une salle pour receptions importantes.* 1969.
color drypoint

Ante Kuduz, 1935–

*Kador-Krug.* 1965.
etching and aquatint

Vladimir Makuc, 1925–

[*Field with Three Mounds*] 1968–69.
color intaglio

*Petelina.* 1962.
intaglio

*Vol.* 1961.
sugar lift etching and aquatint

Miodrag Nagorni, 1932–

[*Untitled.* 196–]
color etching

Virgilije Nevjestic, 1935–

[*Noon.* 1966]
etching

*Pad, II* . . . [1965]
etching

**YUGOSLAVIA** (continued)

Marjan Pogacnik, 1920–

*Little Truck Garden.* 1963.
embossed print

Vjenceslav Richter, 1917–

*Sespo A.* 197–.
serigraph

*Spo Sc 2.* 197–.
serigraph

Miroslav Sutej, 1936–

*Bum Bum* [1967?]
serigraph

[*Composition*] 1966.
serigraph

*Crna Grafika.* 1975.
mobile serigraph

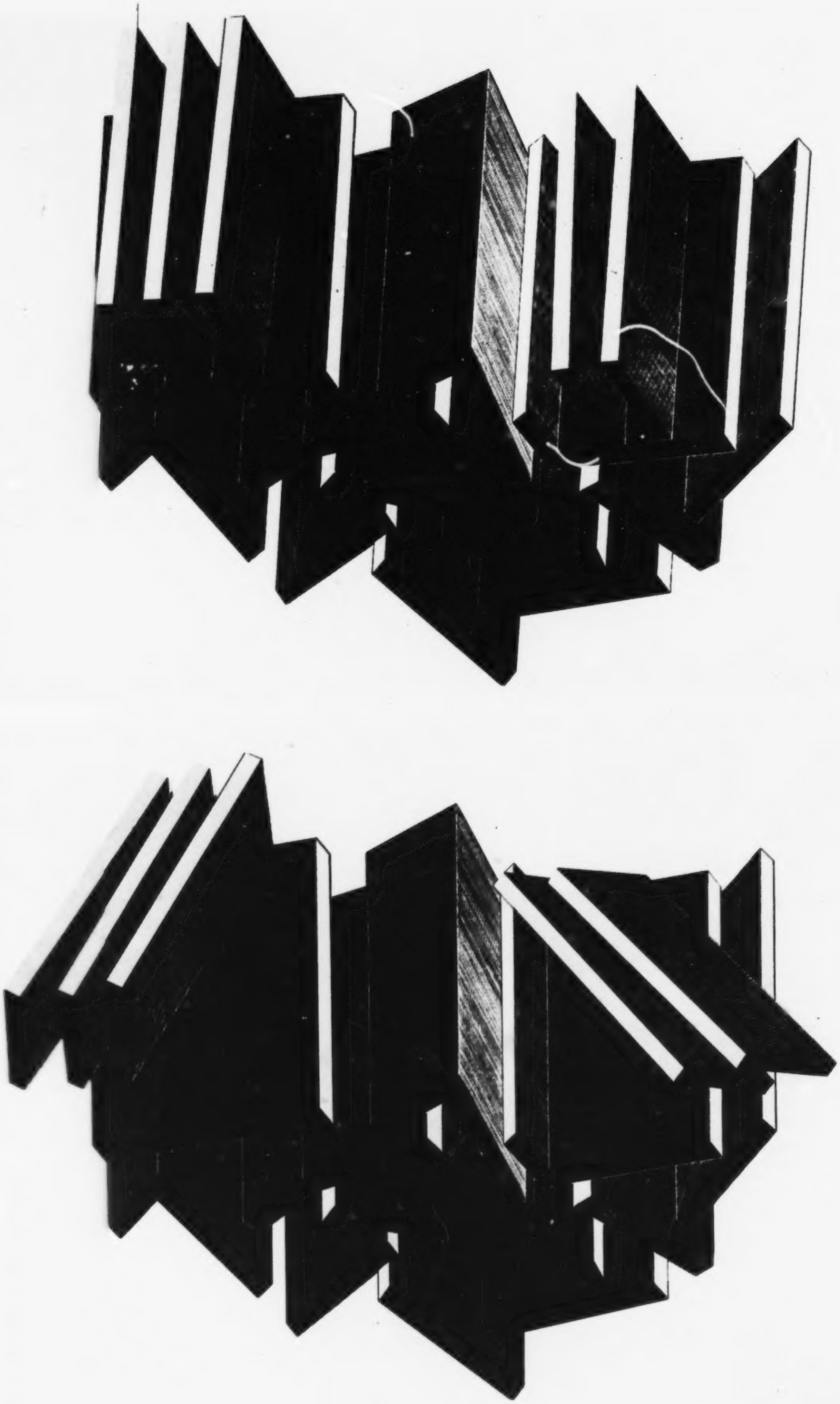
*M & R & AB.* [19–]
serigraph

[*Wave Characteristic*] 1963.
etching and aquatint

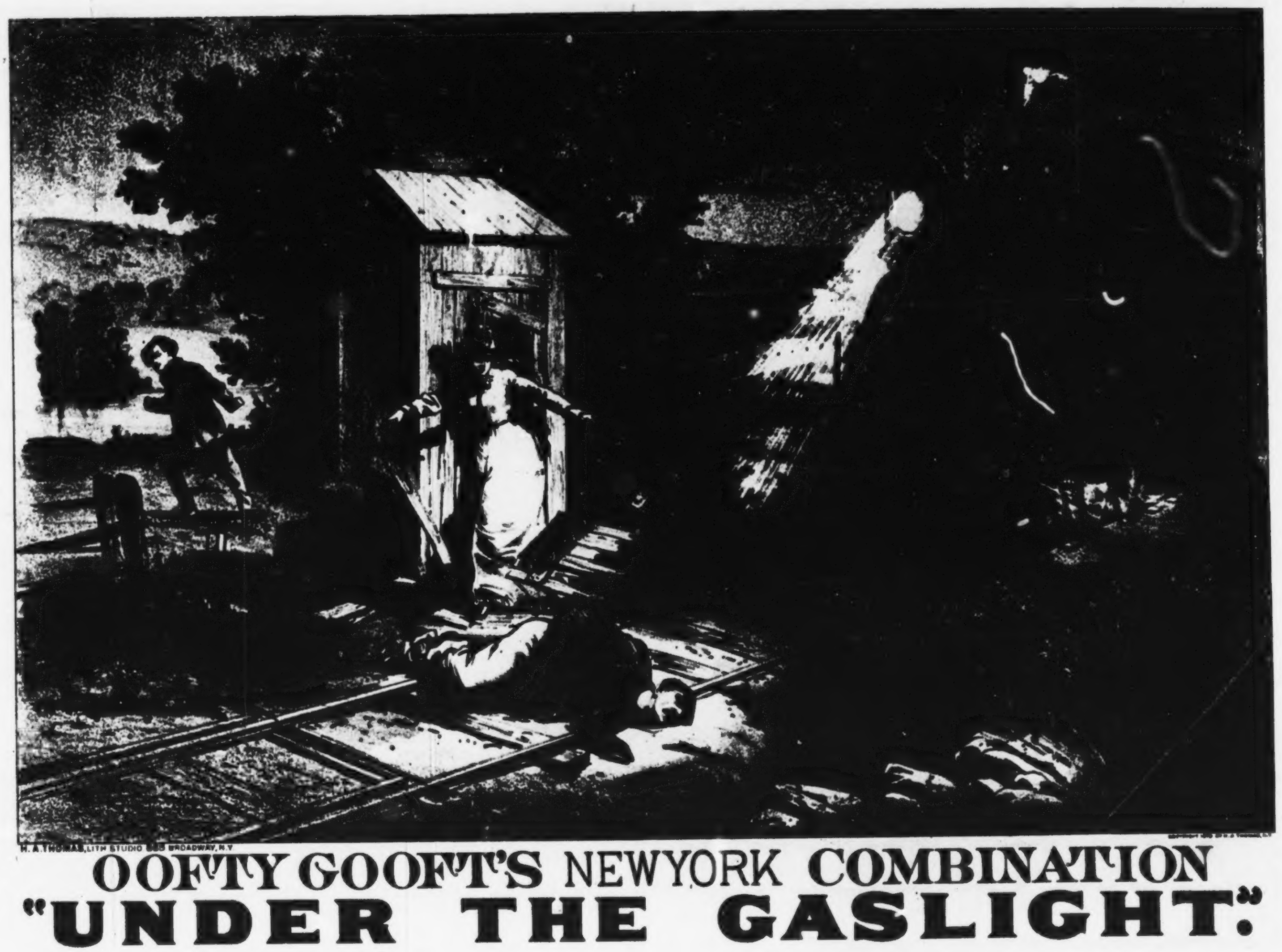
Vladimir Velickovic, 1935–

*Composition I.* [19–]
serigraph

*29/4/68.*
serigraph



*Miroslav Sutej,* Crna Grafika *(1975), mobile serigraph.*


H. A. THOMAS, LITH STUDIO BROADWAY, N.Y
OOFTY GOOFT'S NEWYORK COMBINATION
"UNDER THE GASLIGHT."

**Under the Gaslight**, *1879 (artist: Vic Arnold; Henry A. Thomas Company; lithograph). In one of the most popular plays of the time, the hero was tied to railroad tracks and saved by the heroine just before the locomotive—a real engine—raced across the stage! Audiences hissed the villain, sighed over the heroine, and loudly applauded when good triumphed over evil.*

manager, had a contract with Strobridge for poster costs of forty thousand dollars per season. John B. Jeffery's *Guide and Directory to the Public Halls, Etc., of the Cities and Towns of the Western, Southern, and Middle States,* first published in 1878, served not only as a crucial guide for actors, of every city and town with a theater but also as an advertisement for Jeffery's own poster business.

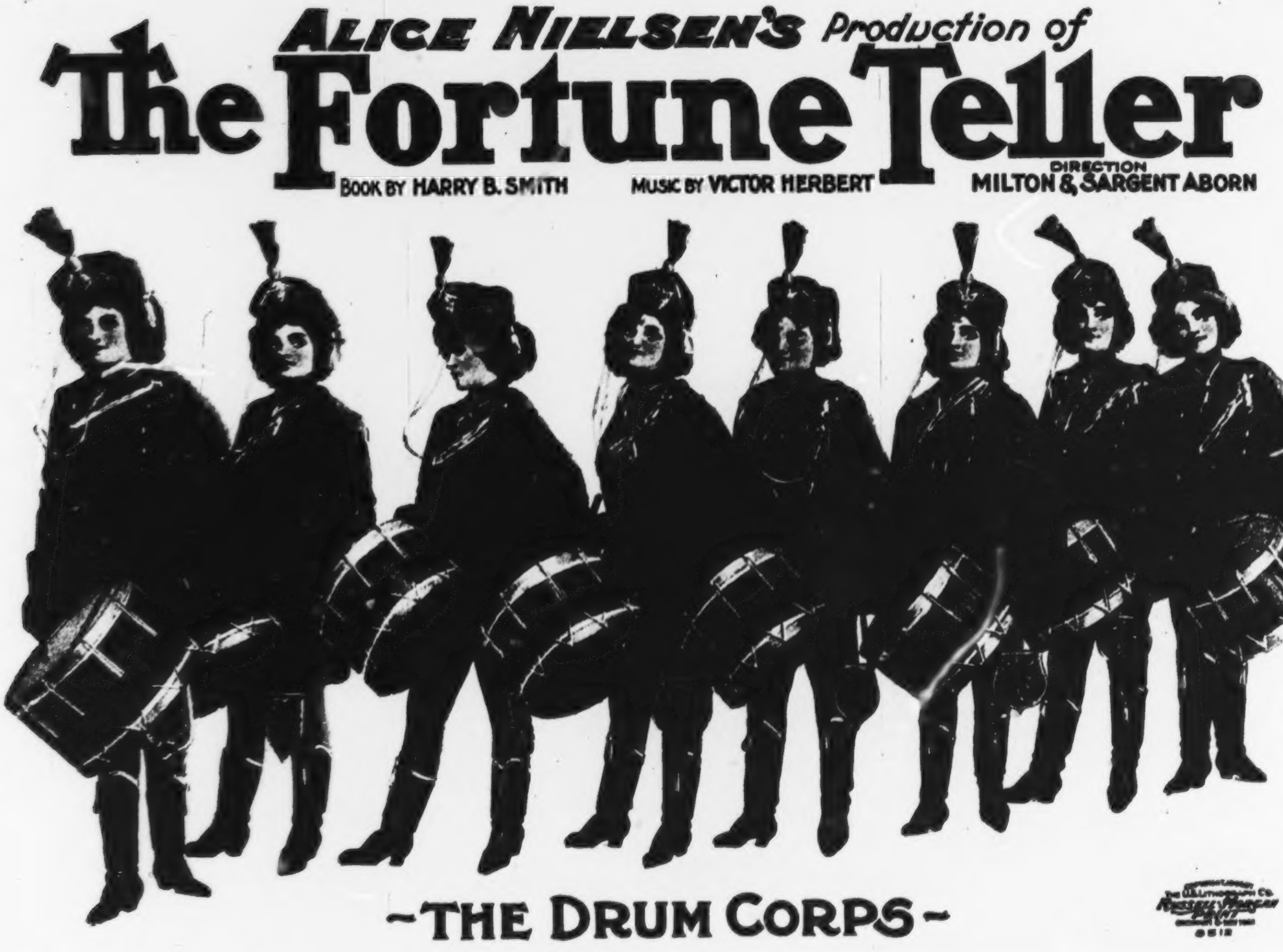
Nineteenth-century America boasted hundreds of theatrical touring companies and thousands of theaters, opera houses, and town halls. Citizens spent hours in crowded daycoaches riding to the nearest town having a stage in order to see plays like *Blue Jeans* (1899) or its stylistic predecessor *Under the Gaslight* (1879). The latter, Augustin Daly's first successful original work, featured, in addition to a train that moved across the stage, a last line which

**H.M.S. Pinafore,** *1879 (artist: Vic Arnold; Alfred S. Seer; lithograph). In 1878 nearly every playhouse in the East performed* H.M.S. Pinafore *simultaneously. Even juvenile actors gave special matinees. Then Gilbert and Sullivan themselves arrived with their own company to show how it ought really to be done and to avert future pirating of their plays.*

read, "Victory! Saved! And these are the women who ain't to have the vote!"

Daly is acknowledged as the first American playwright to recognize the necessity of adhering to the International Copyright Law of 1891. Until that time, many eminent writers could not be persuaded to give permission for their works to be dramatized because they would be unprotected by copyright. Piracy was so pervasive that Gilbert and Sullivan had to visit the United States in the late 1870s for the express purpose of ensuring that all productions of *H.M.S. Pinafore* (1879) would be legally credited to them. On occasion, Daly himself was guilty of playing fast and loose in this regard: an 1879 poster printed by A. S. Seer's Company, for instance, advertises *Assommoir* by Augustin Daly. In fact, Daly hired a free-lance writer, Olive Logan, to write an adaptation from the novel by Emile Zola.

**L'Assommoir,** *1879 (Alfred S. Seer; woodcut). Augustin Daly, producer of this play, wrote to his brother from Paris on January 26, 1879, about his reactions to it: "L'Assommoir is a disgusting piece; one prolonged sigh from first to last over the miseries of the poor: with a dialogue culled from the lowest slang & tritest claptraps." To Olive Logan he wrote, "Realism can scarcely go further; for the sensation scene of Coupeau's fall there is a real scaffolding and real ladders. . . . But the whole affair is revolting & certainly attracts from curiosity & not from interest."*

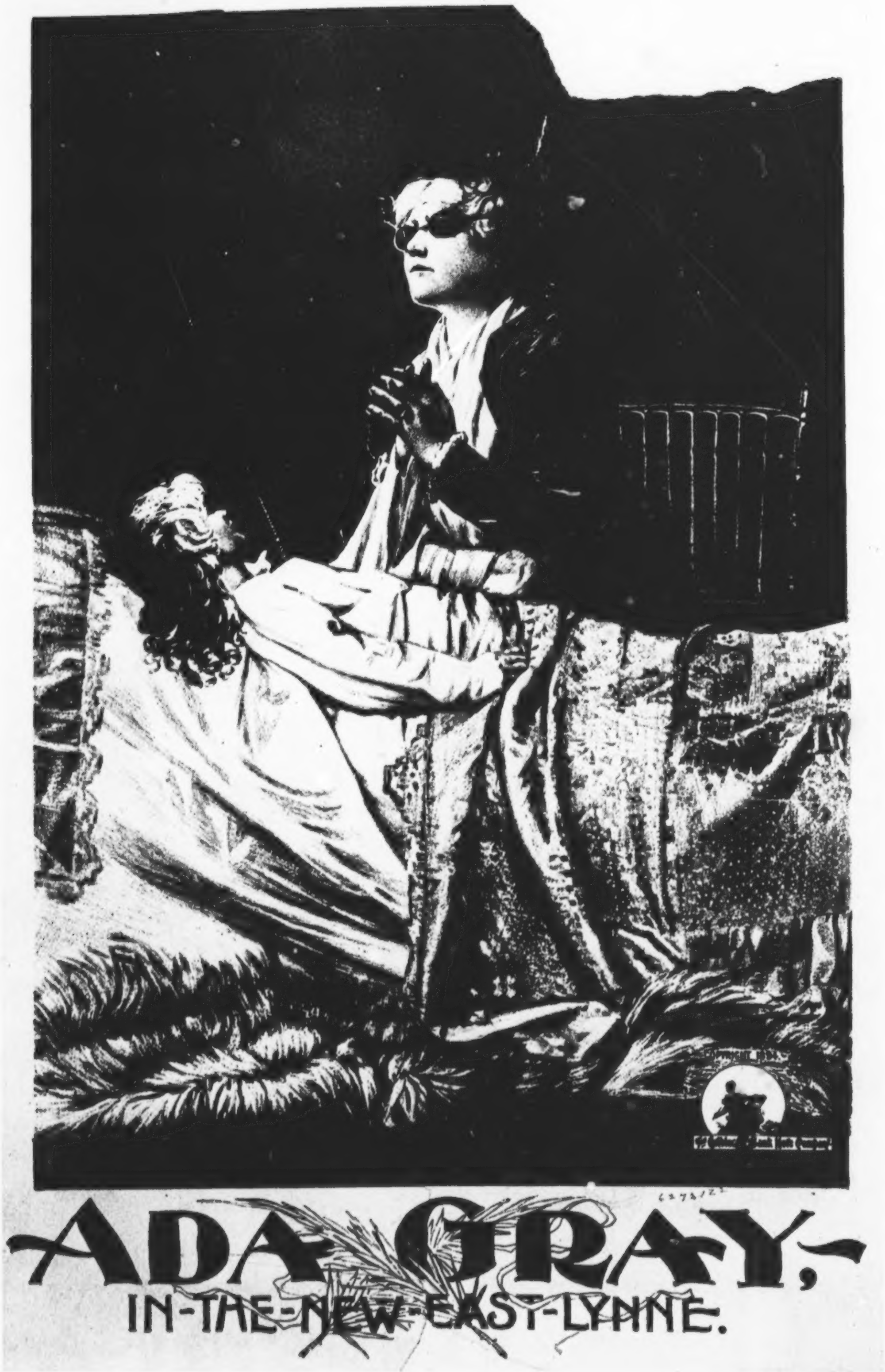


**The Fortune Teller,** *1905 (Russell-Morgan & Co.; lithograph). Victor Herbert did much to popularize the comic opera in America in the early 1900s. He was the first great composer of comic opera in this country.*

jealous husband who is also a philanderer, his confused wife, Isabel, who in despair runs away with her admirer, and their young son Willie. When it is clear that she has made a mistake, Isabel returns to her home, pretending to be a baby nurse. In order that none may recognize her, she sports blue goggles. Finding her son on his deathbed, she reveals herself to him. "Willie!" she cries. "Don't you know me, Willie! I am your mother!" Willie, viewing her face without goggles, sits up, cries out "Mama!" and dies.

*East Lynne* endured several endings. In the most popular, Isabel, falling ill, a broken woman, is forgiven by her husband on her deathbed. In another, the husband inexplicably dies, leaving her to solve life's matrimonial puzzle. When Edwin Forrest starred in *East Lynne,* he changed the ending so that the husband severely reprimands his dying wife for her past misdeeds. The audience booed so vehemently that Forrest quickly reverted to the more popular ending.

Although audiences were intrigued by plays about a new kind of woman who might conceivably leave her husband, they were more comfortable, especially in the hinterlands, with traditional modes of behavior. If one looks at the poster collection, it is possible to imagine the 1870s and 1880s as somehow untouched by the carnage of the Civil War and still imbued with utopian ideals and immigrant dreams. In fact, this was the period during which the South painfully rebuilt its economy. Twenty thousand miles of new railroad track were laid, mostly in the West, telegraph lines were strung from city



**East Lynne,** *1894 (Gribbler Bank Note Company; lithograph). Ellen Price Wood wrote* East Lynne, *a novel of English high life, in 1861. It was dramatized immediately and was a favorite midweek matinee tearjerker for years.*

woodcut printmaking a combination of painting and sculpture. Panek cuts deeply and decisively so that one gets the impression from his prints that he enjoys the physical effort of cutting into the wood block. In an interview Panek explained once that he had loved the material from his early childhood, when he and his family lived in a house built from wood held together with wooden pegs.

Stefan Suberlak (b. 1928) displays a rather earthbound interest in rural life and ordinary daily events. His style is narrative and his prints large, with people and their activities superimposed on each other to form composite pictures of curious shapes.

Very different are the drypoint seascapes by Warsaw artist Edmund Piotrowicz (b. 1915). He has tried to capture things as he observed them in motion, and he does so eloquently.

The intricacies of plant and architectural motifs transformed into visionary forms characterize the lino-engravings of Josef Gielniak (1932–1972). A sense of suffering and a depth of feeling render these prints compelling. Gielniak died in a sanatorium at the age of forty.

Two artists very much involved with teaching and with the sponsoring of the Cracow biennial are Andrzej Pietsch (b. 1932) and Ryszard Otreba (b. 1932). Pietsch is an intaglio printmaker much concerned with humanity and the anonymous crowd while Otreba is an abstract artist making plaster relief prints. Otreba's work employs light and motion rather than geometrical forms. The print illustrated is one of a series made as letters to his wife while he was on a grant working at the Pratt Institute in New York City in 1966–67. He has always been torn between industrial design and artistic printmaking and so has continued working in both fields.

It should be noted that within Poland there is virtually no market for prints. Artists work because they love to and often print editions of as few as four or five impressions, which they trade with their friends.

* * *

Today the technical experimentation that has gone on in London and New York has also been tried in parts of Eastern Europe. The Poles and Yugoslavs are most experimental and extroverted whereas Czech artists appear more restricted and introspective. Most of the artists in all of these countries work as teachers, illustrators, or restorers or at other jobs unrelated to printmaking.

If the specific social, political, literary, or folkloristic imagery in these prints frequently eludes the foreigner, there is a visual appeal in them that is immediate. All of the artists mentioned have received acclaim at home and abroad at one time or another. Some have exhibited as many as sixty times outside their native lands. It is breath itself for a Czech, restricted by his government, to get a print to a show abroad. If there is feedback there is also joy.

It is gratifying that many U.S. collections—library, museum, and private—now contain prints from Eastern Europe. A few of us have been fortunate enough to travel to that part of the world, meet the artists, and acquire things in that way. The Jacques Baruch Gallery in Chicago has made a specialty of works from Poland and Czechoslovakia particularly and has held many exhibitions and lent to many museum shows. The Smithsonian Institution is offering a traveling show of Czech prints made between 1965 and 1977. Curators at the Cincinnati Art Museum and the Art Institute of Chicago share our enthusiasm for these prints and have collected and exhibited them. Nevertheless these works are still underexposed in this country.

First assuming that a look at recent printmaking in Eastern Europe is but a glimpse into some minor aspect of the current state of the art, one soon finds that such a look will reveal some of the most exciting work being done anywhere.

With the continuing acquisition of prints from all parts of the world both through the generosity of donors and with the use of the Pennell Fund, the Library hopes to expand its holdings and knowledge of the prints and printmakers from Eastern European countries and to continue to make new discoveries there.

# Prints from Eastern Europe: A Checklist

NOTE: Unless otherwise specified these prints were purchased through the Pennell Fund. Prints made by native artists not actually residing in East European countries during the 1960s and 1970s are excluded.

## BULGARIA

Atanas Neikou, 1924–

[*Self-Portrait*] 1965
color lithograph

Todor Panajotov, 1927–

*Paysage.* [19]66.
two-color etching

## CZECHOSLOVAKIA

Jiří Anderle, 1936–

*Acis and Galatea.* 1975.
intaglio

## CZECHOSLOVAKIA (continued)

Jiří Anderle, 1936—(continued)

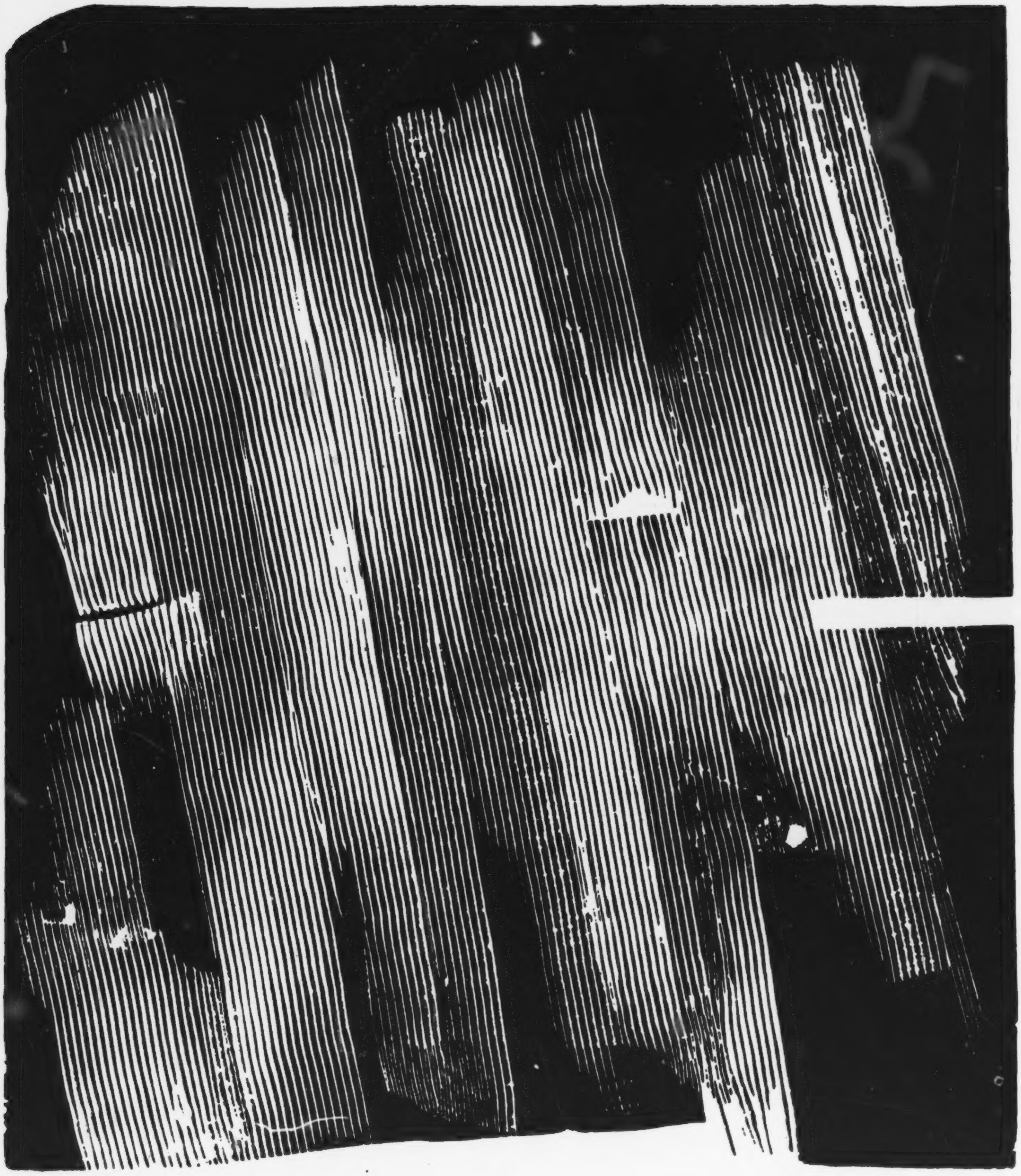
*Il Combattimento di Tancredie Clorinda I.* [1972?]
color engraving from the *Ricercari* portfolio
LC purchase

*Il Combattimento di Tancredie Clorinda II.* [1972?]
color engraving from the *Ricercari* portfolio
LC purchase

*Cruel Game for a Man.* 1975.
intaglio
gift

*Komedie c. 3.* 1968.
intaglio

*Jiří Anderle,* Monsieur Rivière entre nous *(1975), color intaglio.*



*Ryszard Otreba,* Sciana VI *(1966), plaster relief print.*

## **HUNGARY** (continued)

Bela Kondor, 19—

*No. 11* [*I Eliminate the Good.* 19—]
intaglio

## POLAND

Zofia Broniek, 1938–

*Paysage d'une ville.* 1965.
lithograph

Halina Chrostowska-Piotrowicz, 1929–

*Komidianci.* 1962.
etching

[*Man and Birds*] 1959.
mixed technique

Jacek Gaj, 19—

[*Echelles*] 1967.
etching and engraving

[*Danse.* 19]65.
etching and engraving

Joseph Gielniak, 1932– 1972.

*Autumn in Bukoviec.* 1959– 60.
linoleum cut

*Improvisation for Greazynlea.* 1963– 64.
linoleum cut

*Improvisation II (Fantaisie sur un theme morbide).*
1959
linoleum cut

*Sanatorium, V* 1958.
linoleum cut

*Sanatorium, VI.* 1959.
linoleum cut

## **POLAND** (continued)

Danuta Kluza, 1926–

*Le Jardin.* [196– ]
etching

Wlodzimierz Kunz, 1926–

[*Industrial Landscape II.* 19]65.
lithograph

[*Silisian Landscape I*] 1965.
lithograph

Zbigniew Lutomski, 1934–

[*In Space III*] 1967.
relief print

[*Tree in Cemetery*] 1964.
color woodcut

Lucjan Mianowski, 1933–

*Cathedrale XI.* 1962.
lithograph

*Marie.* 1959.
color lithograph

Ryszard Otreba, 1932–

*Sciana VI.* 1966.
plaster relief print

*Sciana CII.* 1966.
plaster relief print

*A Letter for Jagwiga II.* 1966.
plaster relief print

*Slady L IV.* 1966.
plaster relief print

Jerzy Panek, 1918–

*Autoportret u Biacym Kapeluszu, III.* 1960.
linoleum cut

# Tomorrow Night, East Lynne!

## American Drama as Reflected in the Theater Poster Collection at the Library of Congress

### by Elena Millie and Andrea Wyatt

At a dress rehearsal of Bartley Campbell's play *The White Slave* the villain, attempting to seduce the heroine, exclaimed, "Discard those ugly rags. I'll dress you in satins befitting your beauty!" The heroine drew herself up to her full height and with a ringing retort cried, "Rags are royal raiment when worn for virtue's sake!" Daniel Frohman, a leading theatrical manager attending the performance, leapt to his feet shouting, "There's your line, Campbell! There's your poster!" And so the poster bills came out immortalizing that dramatic moment. They were remembered and quoted for years.

*The White Slave* is one of more than fifteen hundred posters for the American legitimate theater dating from 1870 to 1916 in the Library of Congress Poster Collection. The collection was initially formed from copyright deposits and has been supplemented with gifts, purchases, and exchanges. This assemblage, broad in scope and orientation, is one of the most significant nineteenth-century American theater poster collections in the United States.

The development of American theater between 1870 and 1900 was phenomenal. The 1870s saw the completion of the transcontinental railroad, an extraordinary population growth resulting in the demand for more entertainment, and the increasing use of successful advertising methods. Road shows were in great demand and stock companies prospered. In 1887 there were already five thousand theaters in America. By 1900 there were hundreds more, resulting in the production of vast numbers of theater posters.

> The poster catches the famous play at the inception of its career; a hardy perennial, it was destined to find eager reception over the length and breadth of the land year after year. . . .
>
> —John Merton

The performing arts poster had its origins in the public announcement. Constantly on the move, theatrical road companies had to adver-

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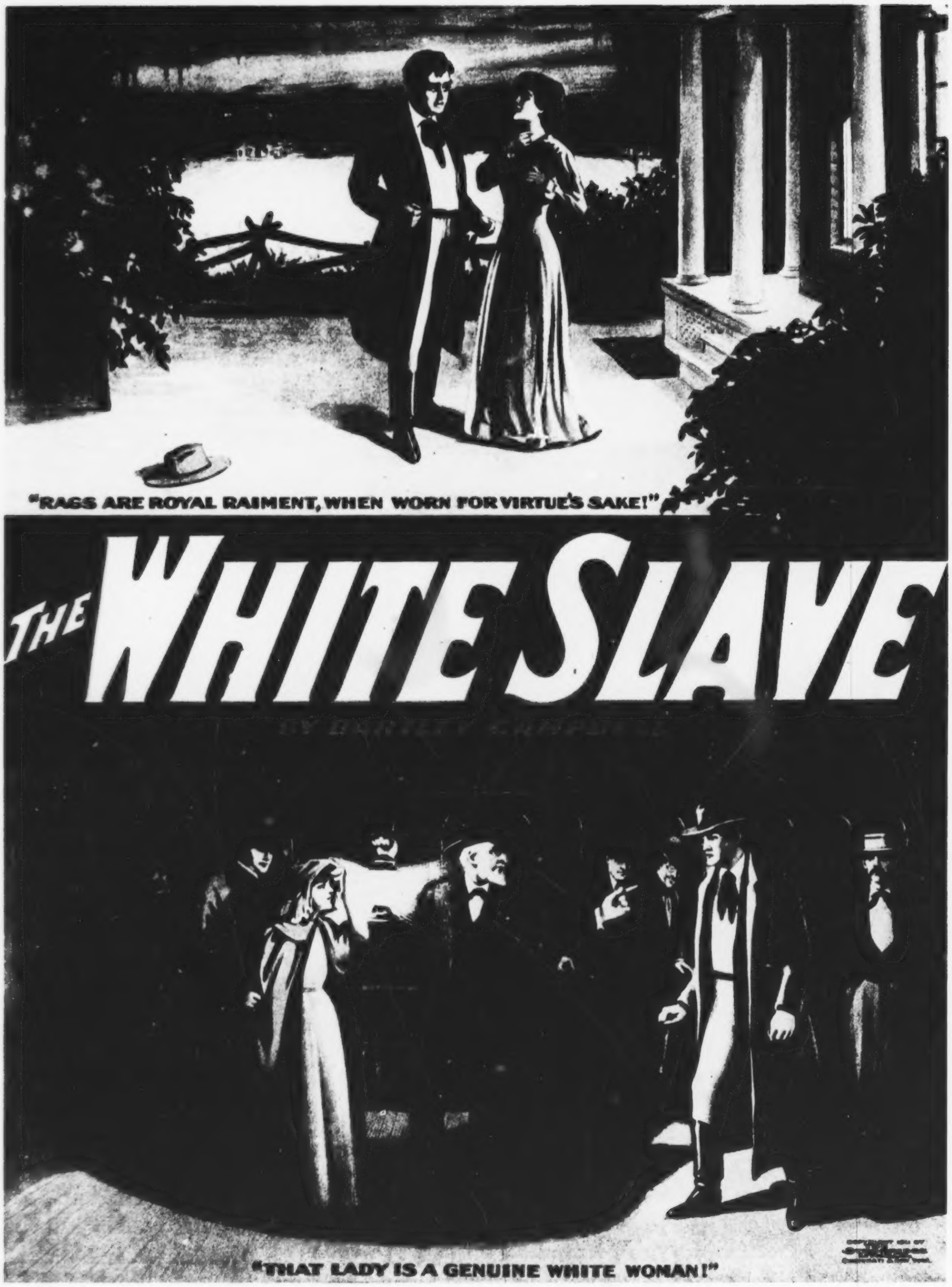
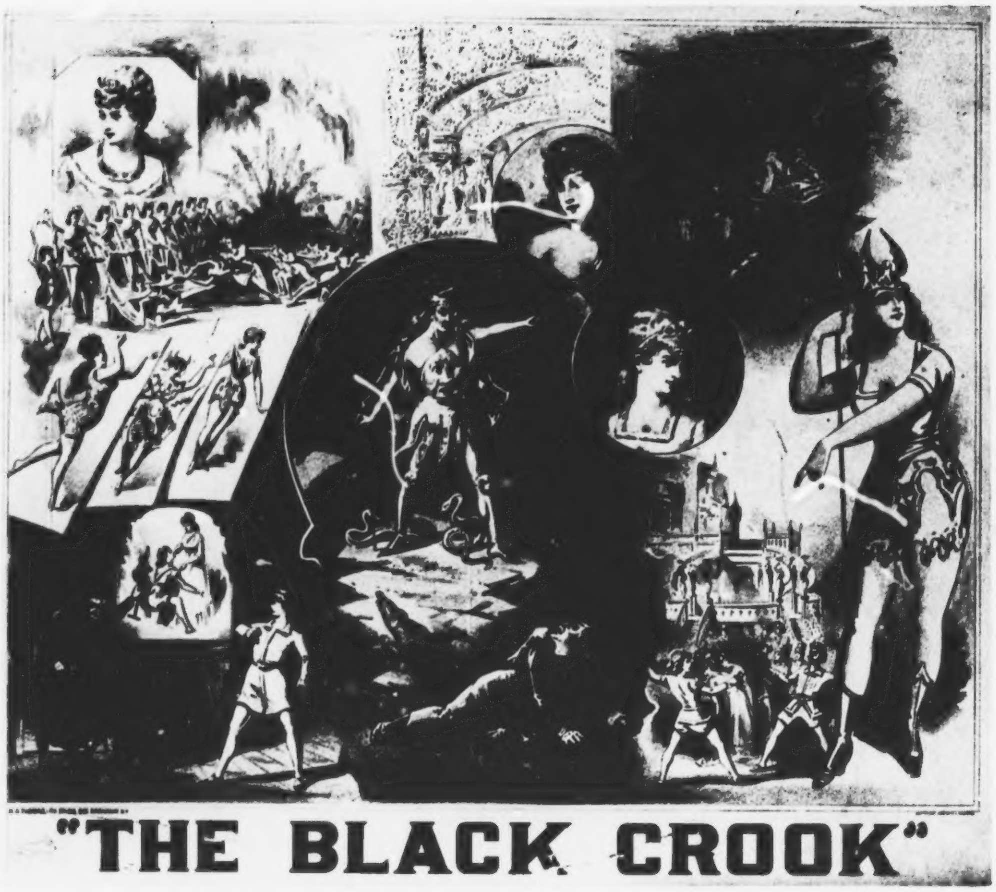
Elena G. Millie joined the Prints and Photographs Division in 1965 as a cataloger and is now curator of the Poster Collection, which numbers around seventy thousand posters of both national and international origin and is one of the largest of its kind in the world. Her article *A Rare Film Poster: "Charlot, l'as des comiques"* appeared in the January 1967 issue of the *Quarterly Journal.*

Andrea Wyatt cataloged the nineteenth-century theater posters. Also a poet, she has published several books of her own poetry, including *Poems of the Morning & Poems of the Storm* (1973) and *Three Rooms: Poems* (1970).


"RAGS ARE ROYAL RAIMENT, WHEN WORN FOR VIRTUE'S SAKE!"
THE WHITE SLAVE
"THAT LADY IS A GENUINE WHITE WOMAN!"

**The White Slave,** *1911 (Strobridge & Co. Litho; lithograph). The villain was using every blandishment to get the heroine into his power. "Discard those ugly rags; I'll dress you in satins befitting your beauty," he cajoled. But she spurned him with the ringing retort, "Rags are royal raiment when worn for virtue's sake!*



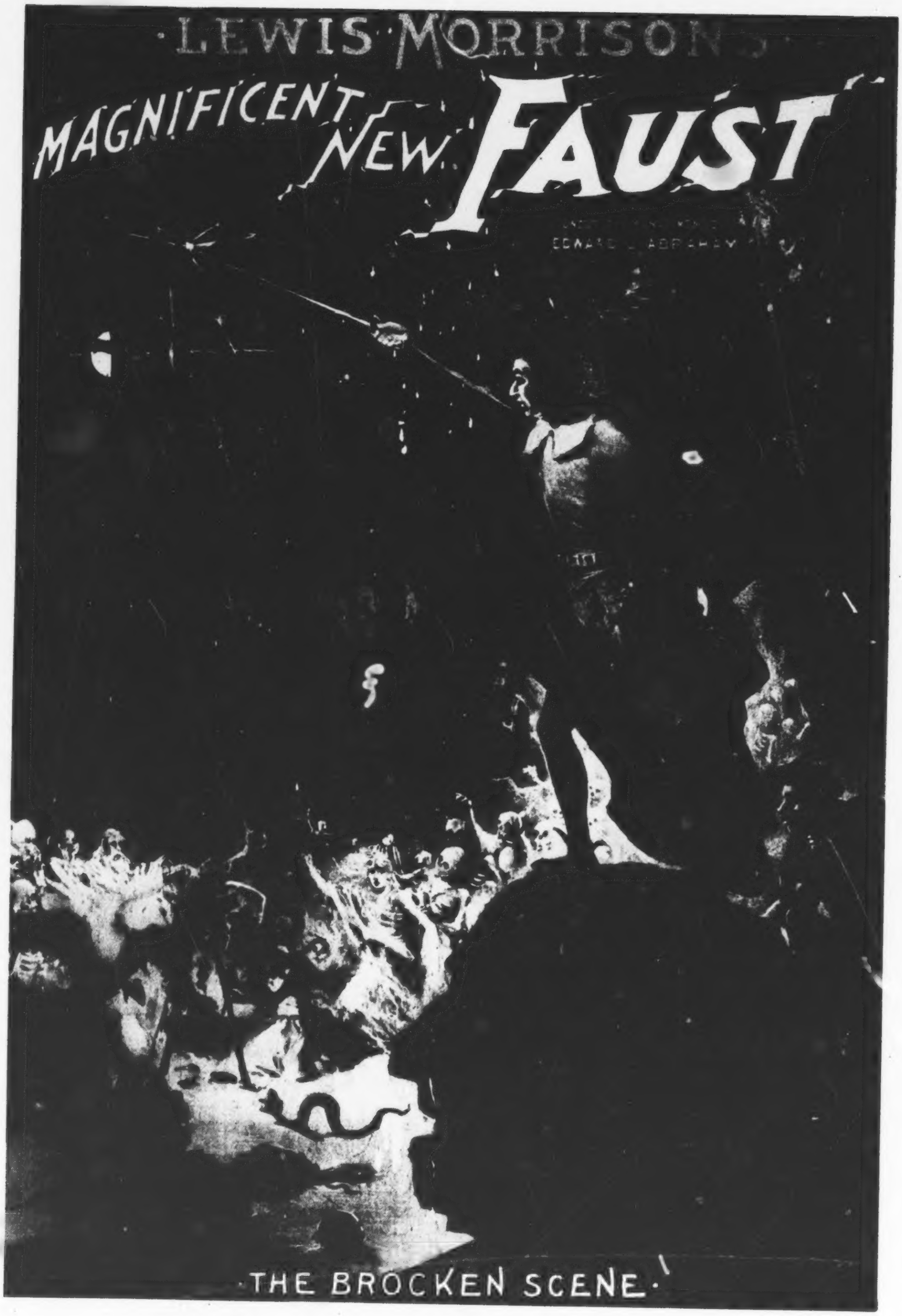
**The Black Crook,** *1879 (H. A. Thomas; lithograph). For five and a half hours, the production's special effects and cavorting women stunned audiences, finally culminating in one last spectacular scene: "One by one, curtains of mist ascend and drift away," a critic gasped. "Silver couches, on which the fairies loll in negligent grace, ascend and descend amid silver rain. From the clouds drop gilded chariots and the white forms of angels. It is a very beautiful pageant." "The scenery is magnificent," the* New York Tribune's *critic observed, "the ballet is beautiful; the drama is–rubbish."*

The stage but echoes back the public voice.
—Samuel Johnson

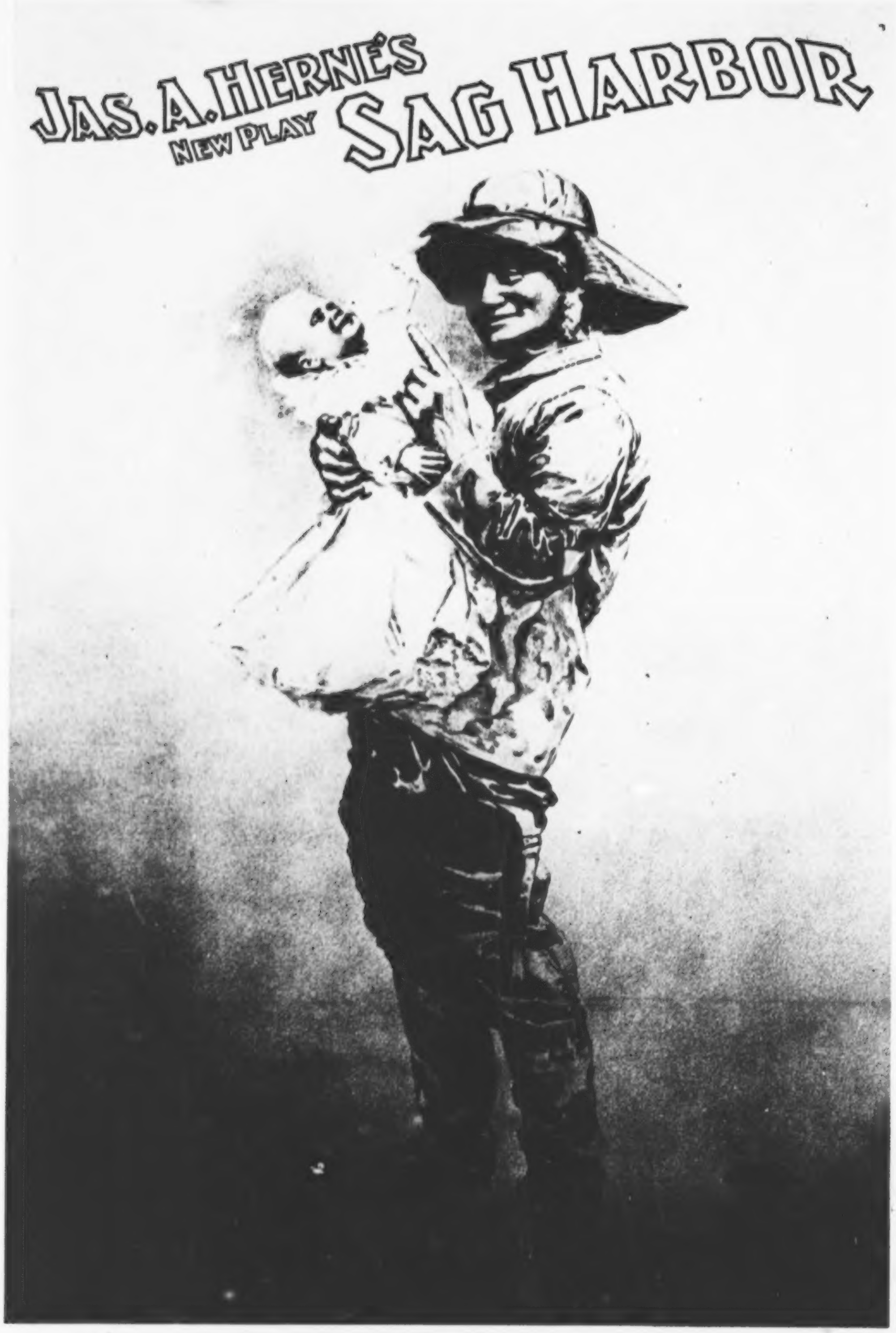
European ballet dancers proved a great drawing card, more for the women's short ballerina skirts than for their artistry. "Legs are staple articles and will never go out of fashion while the world lasts," quipped Henry Jarrett, New York and Boston theater manager, to his partner Harry Palmer, a Wall Street broker, as they negotiated the booking of a foreign ballet troupe. Before the premiere, however, the theater which had been booked for the performance burned down. The only suitable alternative was New York's Niblo's Garden, which was already advertising *The Black Crook.* Jarrett and Palmer went to the manager of Niblo's and suggested combining the two shows. The manager, unsure of his new melodrama, agreed. September 12, 1866, was a milestone in the history of American show business—representing the first major step towards burlesque and musical comedy. Niblo's stage was rebuilt so that every floorboard could be fitted into grooves, enabling the crew to change the shape and structure of the stage during the show. Trap doors and new machinery capable of raising the huge sets from the cellar to the rafters in seconds were added. *The Black Crook,* a five-and-a-half-hour mélange of ballet and ersatz *Faust,* was a critical failure but a box-office smash.

Based on the Mother Goose stories, and borrowing *The Black Crook's* ballet scene, *Humpty-Dumpty* (1880) used many elements from the music hall stage. George L. Fox, America's first great pantomimist, starred as the clown in over a thousand performances. After Fox and a brief flurry of imitators, pantomime was largely ignored in the United States until its 1920s Hollywood revival by Harold Lloyd, Buster Keaton, and Charles Chaplin.

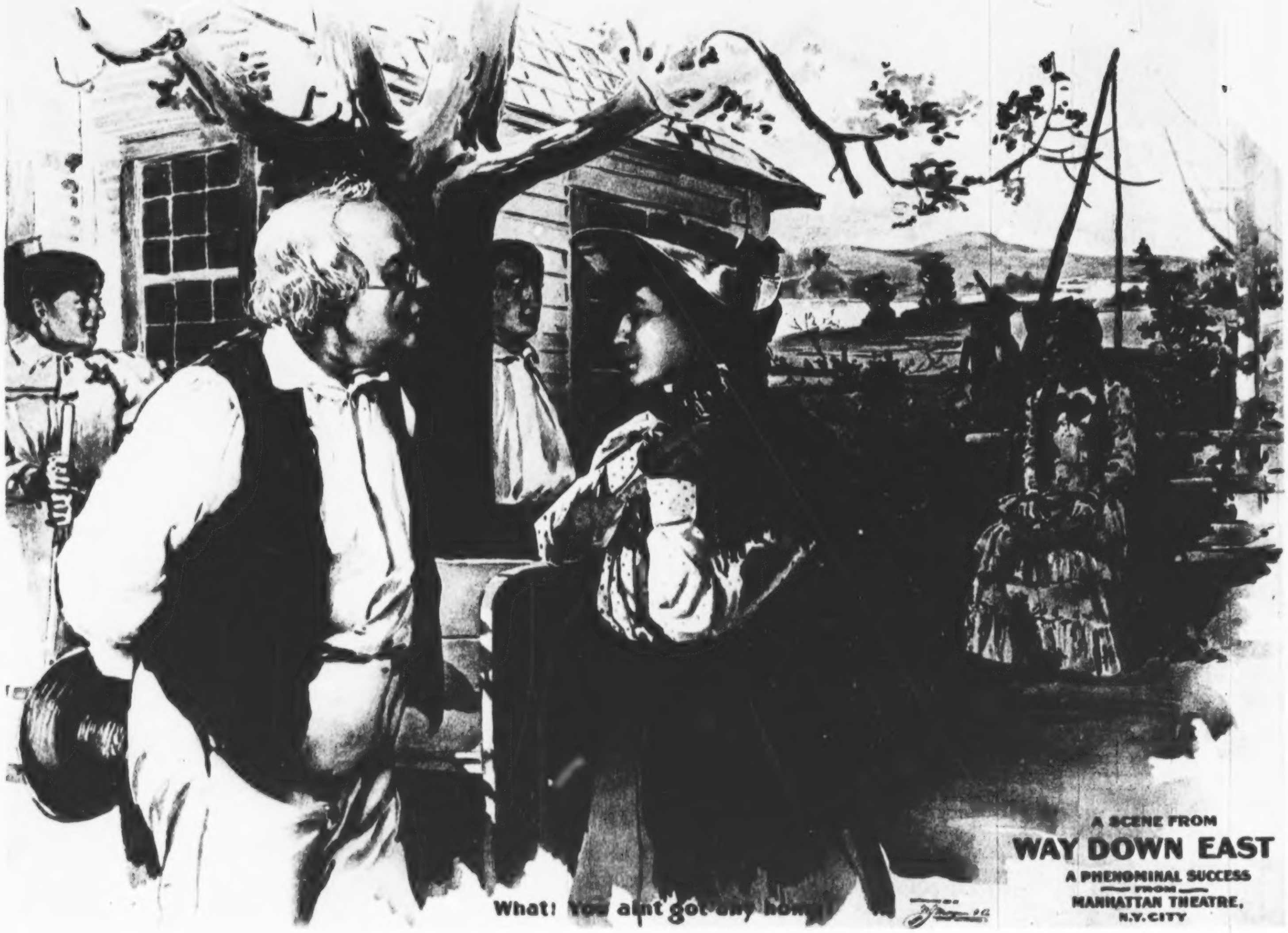
Another forerunner of musical comedy was the extravaganza. In 1874, Edward E. Rice's production of *Evangeline* opened in New York, the first show to be billed as a musical. Actually, it was a classic extravaganza which featured an original musical score and three-hundred-



**Faust,** *1889 (Springer Lithograph Company; lithograph). Lewis Morrison's version of* Faust *opened at the Grand Opera House in Brooklyn on April 1, 1889. One of the features of the show was "The Brocken Scene" showing the legendary Walpurgis Night on the Brocken, the highest peak in the Harz Mountains of Germany. Morrison was best known for his characterization of Mephistopheles.*



**Sag Harbor,** *1900 (Russell-Morgan Print Co.; lithograph). James A. Herne, a successful playwright and actor, produced and appeared in his own play* Sag Harbor *in 1900. His daughters Julie and Chrystal Herne joined him in a cast that included Lionel Barrymore and William Hodge.*



**Way Down East,** *1898 (W. J. Morgan & Co., lithograph). The popularity of* Way Down East, *a New England regionalist play, was immediate. After opening at Newport in 1897, it toured New England and began a New York engagement at the Manhattan Theatre on February 7, 1898. The theatre was leased by W. A. Brady and Florenz Ziegfeld, Jr., for the production, which ran 155 performances. It was later moved to the New York Academy of Music, where it chalked up another 255 performances.*

to city, and cables were laid across the Atlantic. At Chicago, the McCormick Harvester works could not keep up with the demands for farm machinery from the Middle West. Offset presses increased the original Senefelder press production of a hundred posters an hour to a hundred a minute. Industrial activity in the North was prodigious, leading to the elevation of a new man, the captain of industry, and a new class, the nouveau riche. Playwrights, no less than other businessmen, were pragmatists of the first order. They understood and catered to the delusions of a nation whose innocence had been destroyed on the still barren battlefields at Chancellorsville and Shiloh.

The most successful melodramas dealt with America's misapprehensions about herself. The New England plays *Sag Harbor* (1900), *Way Down East* (1899), and *Caleb West* (1900) propounded a simple way of life lived by the "poor but honest boy," the "crusty sea captain," and so on. That the way of life portrayed in these dramas had nearly disappeared made them all the more poignant and popular. While the intelligentsia saw modern plays by Clyde Fitch and George Bernard Shaw, the rest of America wept copiously as little Eva went to her just reward.

*Uncle Tom's Cabin* was the single most performed play of the nineteenth century. In

Jiří Anderle, 1936—(continued)

*Komedie c. 4.* 1968.
intaglio

*Komedie c. 6.* 1968.
intaglio

*Komedie c. 8.* 1968.
intaglio

*Monsieur Rivi*ère entre Nous. 1975.
intaglio

*Relations no. 2.* 1976.
intaglio

*Self Image.* [197–]
intaglio

*Up and Down.* 1971.
intaglio

Jiří Balcar, 1929–1968.

*Cerna Hlava.* 1968.
aquatint

[*Drink.* 19]68.
etching

[*Four Days in My Week.* 19]68.
intaglio

[*Interior.* 19]67.
etching

[*Quay in Kolin*] 1955.
drypoint

*Situace.* [19]77.
intaglio

Eva Bednářová, 1937–

[*Conversation*] 1970.
etching

Eva Bednářová, 1937—(continued)

*Naslouchana.* 1968.
etching

[*New Testament*] 1965.
etching

[*Old Dress*] 1970.
etching

[*Old Testament*] 1966.
etching

*Pad.* 1970.
etching

[*The Room*] 1969.
etching

Albín Brunovský, 1935–

*Bella Italia* Portfolio of 18 etchings
gift

[*Jardin d'Ariadne*] 1968.
lithograph

*Lamento della Ninfa I.* 1972.
color lithograph from the *Ricercari* portfolio
LC purchase

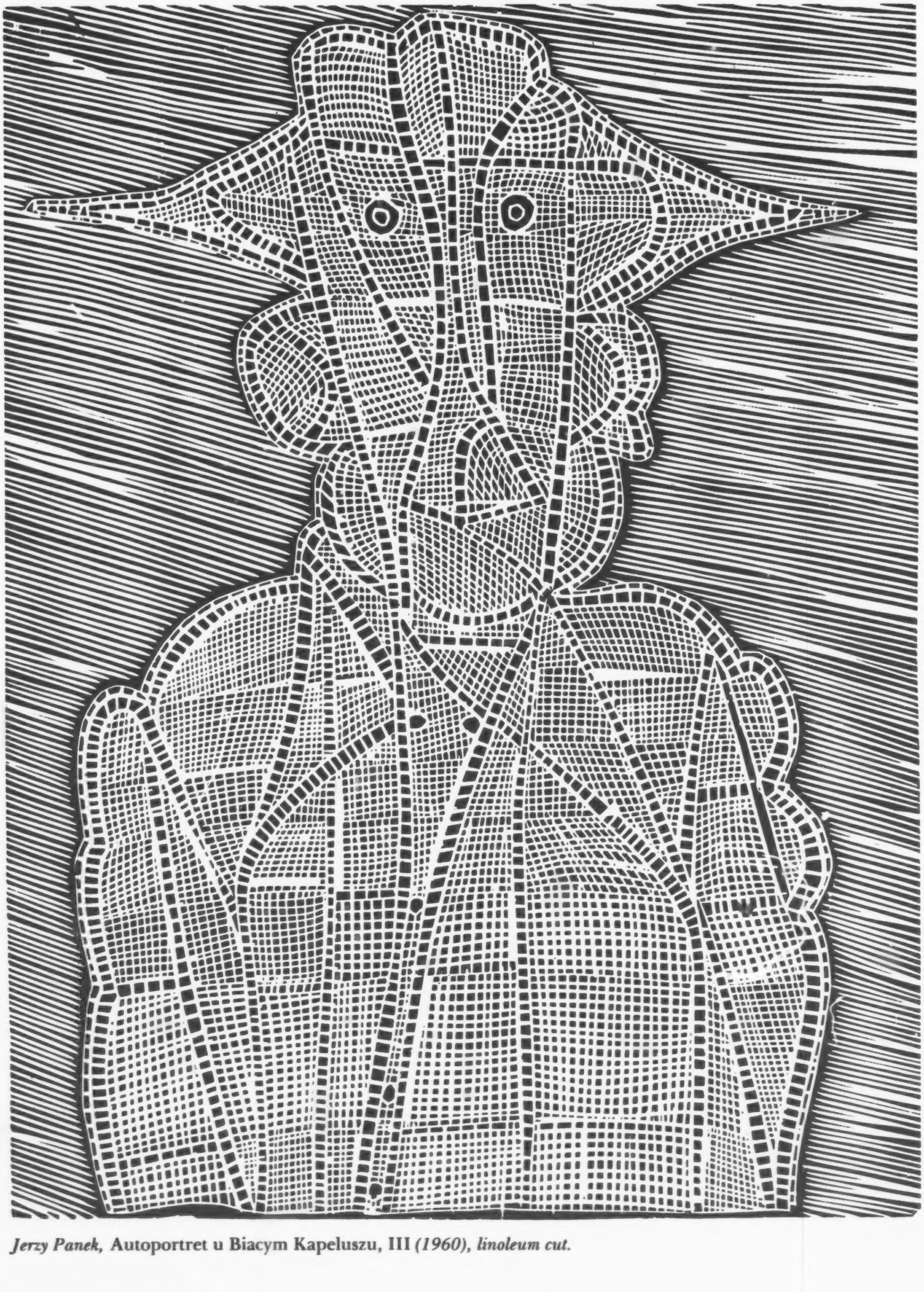
*Lamento della Ninfa II.* 1972.
color lithograph from the *Ricercari* portfolio
LC purchase

[*Self-Portrait*] 1964.
lithograph
gift

Dalibor Chatrny, 1925–
*Kryptogramy Lodu III.* 1969.
serigraph

Ivan Chatrny, 19—
[*Untitled.* 196–]
serigraph

*Eva Bednařová*, Old Testament *(1966), etching.*



*Jerzy Panek,* Autoportret u Biacym Kapeluszu, III *(1960), linoleum cut.*

**POLAND** (continued)

Andrzej Pietsch, 1932–

[*Artist's Journey/Self-Portrait*] 1975.
etching

*Avant le voyage.* 1967.
color etching

*Plaze.* 1968.
intaglio

*Les Voyageurs.* 1968.
color etching

Edmund Piotrowicz, 1915–

[*Ninth Wave.* 19]65.
etching

[*The Ship.* 19]65.
drypoint

[*Abstract view.* 19]60.
etching

Janusz Przybylski,

[*L'Abandon de la vie*] 1968.
lithograph

*Psy.* 1969.
intaglio

Leszek Rózga, 19—

[*The Nest*] 1972.
etching

Leon Sliwinski, 1916–

[*Christ Raising the Daughter of Jarius from the Dead*] 1961.
linoleum cut

[*Flight into Egypt*] 1960.
linoleum cut

**POLAND** (continued)

Anna Socha Jelonic, 19—

*Sciete Drzewo, III.* [197–].
lithograph

Stefan Suberlak, 1928–

*Country Squire II.* 1959.
lithograph

*Do Miasta II.* 1965.
lithograph

*Gospodan I.* 1959.
lithograph

*Wiosna II.* 1962.
lithograph

Mieczyslaw Wejman, 1919–

*Dyskusja.* 1960.
relief print

Stanislaw Wojtowicz, 1920–

*Katarymarz.* 1957.
woodcut

*Sen XXVI.* [1958]
woodcut

**ROMANIA**

Serban Gabrea, 1940–

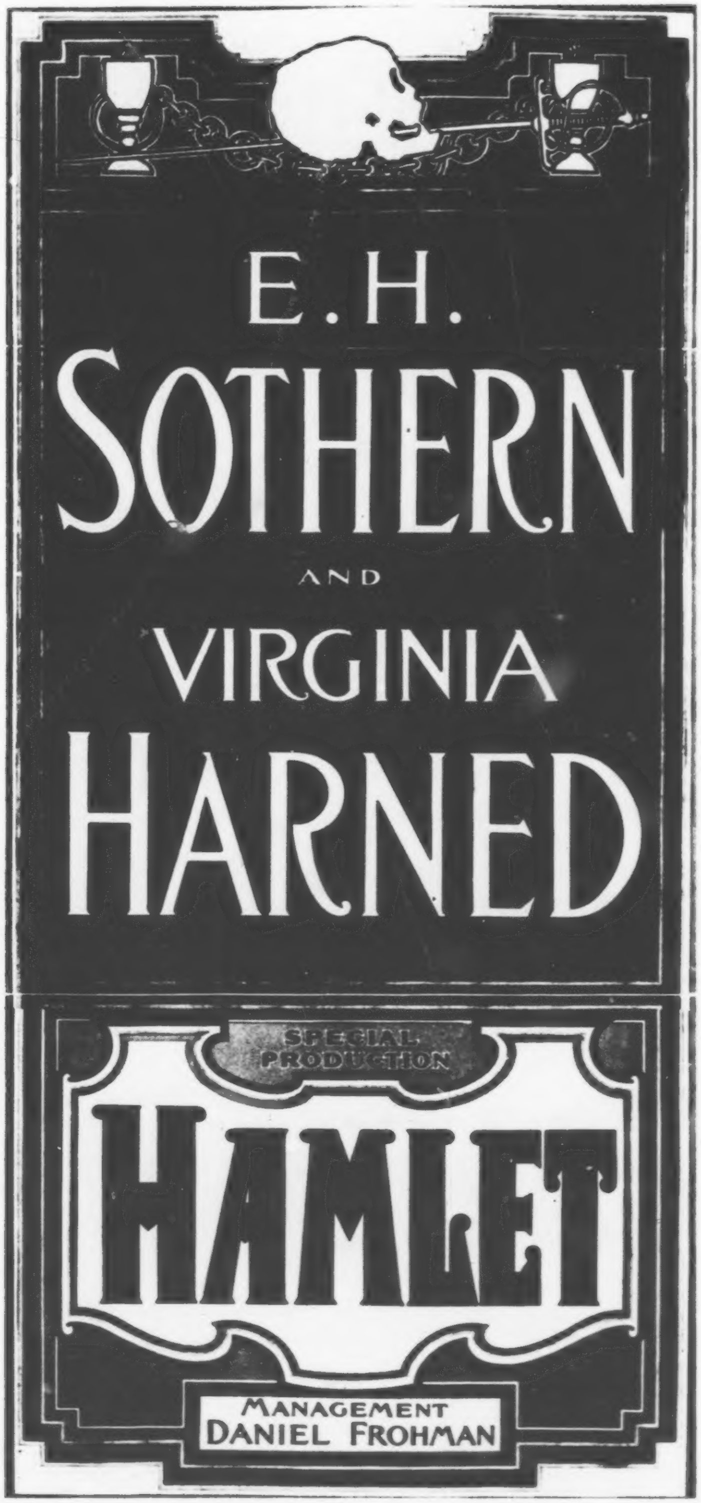
*A propos d'une coquillage.* 1968.
woodcut

*Composition.* 1968.
woodcut

*Premiers Sensations.* 1968.
woodcut

Eugen Mihaescu, 1937–

[*Untitled.* 19]67.
inkless relief etching



**Hamlet,** *1900 (Strobridge & Co. Litho.; lithograph). "E. H. Sothern signed his first contract with me on Friday the thirteenth," wrote Daniel Frohman, business manager of the Madison Square Theatre. "He was twenty-three yeas old at the time and, like most actors, inclined to be superstitious, especially about that particular day. 'I say, D. F., let's wait until tomorrow.' All right Ned, if you like, but stop a minute. This is the thirteenth year of my management of this theatre; there are thirteen letters in the name Edward Sothern; there are thirteen letters in my name; there are thirteen letters in the name of the Lyceum Theatre and, said I, looking at the cast, there are thirteen members in the play. Suppose we go on with it. He said, all right, and the contract lasted thirteen years. And then it was renewed."*

tise their performances in such a way as to encourage the largest audience possible to attend. Daniel Frohman recalled that the "bright colored posters outside the theaters and on billboards all over town helped get our plays talked about. I always chose a sensational poster to attract audiences to a mild play. But the reverse also proved to be good psychology, a mild poster for a sensational play."

Although the posters were sometimes crude, obvious, and melodramatic, they often strove for and sometimes attained heights of great power and sensitivity. Displaying every style and technique of their time, these posters constitute an important document, a unique vantage point from which to view the artistic, intellectual, social, and ideological growth of this country during the late nineteenth and early twentieth centuries.

Mid-nineteenth-century American theater, circus, and vaudeville road companies relied heavily on the use of outdoor advertising. By the 1870s billpostings were seen on trees, fences, and barns and other buildings across the country. These crudely cut, colorful images were printed from woodblocks. The designs were engraved upon mahogany, pine, or basswood planks and then two to four tints, added from separate blocks, were used. There were two basic woodcut sizes, that of billboard proportion and a smaller, window-sized version. James Britton, Joseph W. Morse, Robert Joste, and Vic Arnold were four especially effective wood engravers of the day. Every small town had a billposter, whose occupation it was to put up posters, paste over them, and find fresh advertising space. The demand for posters was tremendous and printers made use of two developments in the field of printing: the discovery of lithography in 1795 and the concomitant invention of the flatbed press by König and Bauer in 1814.

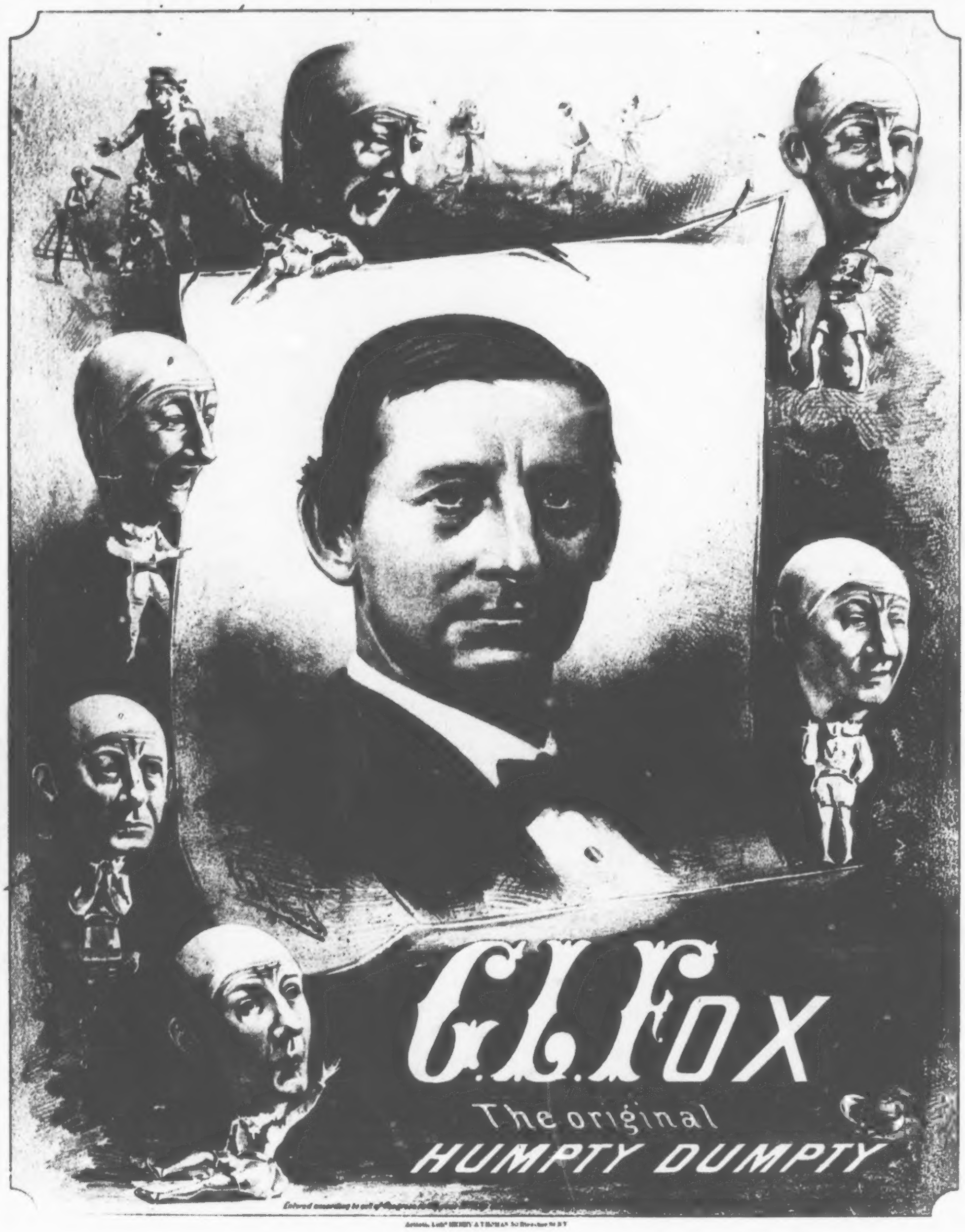
In 1798 with the invention of Aloys Senefelder's lithography process, it became possible to produce images of virtually unrestricted tone and textural quality. It is fitting that Senefelder (1771–1834) was the inventor of lithography. His father, Peter Senefelder, had been a court actor in Munich and from early childhood Aloys was exposed to the theater, struggling to become an actor and a playwright. He wrote several plays that were produced by an amateur theater company but, as a young, unknown writer, had great difficulty securing a publisher. Senefelder became a printer in order to print and publish his own plays. Experimenting with various methods, he noted the antipathy of grease to water and recognized the principle which led to his invention of lithography.

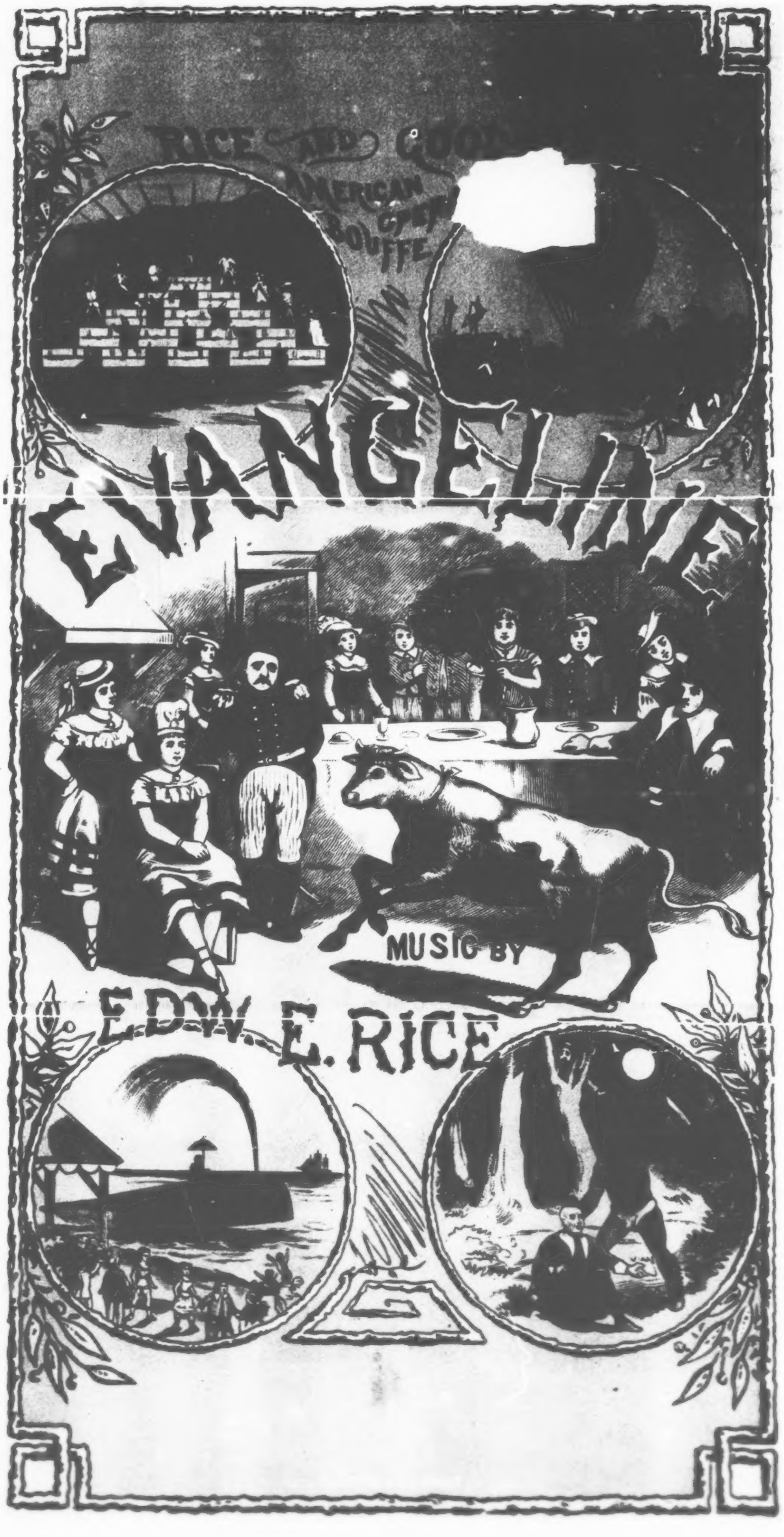
Lithographs were first drawn on thirty- by forty-inch stones which were quarried in Bavaria and weighed an average of four hundred pounds each. The limiting size of the stones led early lithographers to seek other surfaces on which to make their drawings, and zinc plate was found to be a satisfactory substitute. In 1870 Peter Kramer, a German artist, opened his own studio in New York and lithographed large posters using zinc plates. Two of his posters, *The Corsican Brothers* and *Frou-Frou*, are among the earliest in the collection. Most of the lithographic draftsmen working in America at that time were either German or of German ancestry. Often they were only marginally concerned with the artwork, expertly separating the finished crayon drawing into various colors or tints and producing work which resembled a stippled drawing.

By the 1880s the Courier Company of Buffalo produced a four-foot lithographic poster for *Uncle Tom's Cabin* showing Eliza being chased across the ice by bloodhounds. This four-color poster, composed of nine sheets, was the precursor of that poster considered to be the world's largest—a 100-sheet poster in four colors advertising *W.W. Coles Colossal Shows*, printed by the Strobridge Company of Cincinnati, Ohio. These two lithographic posters presaged the new machine age. By the 1880s the lithographic industry had all but driven the en-

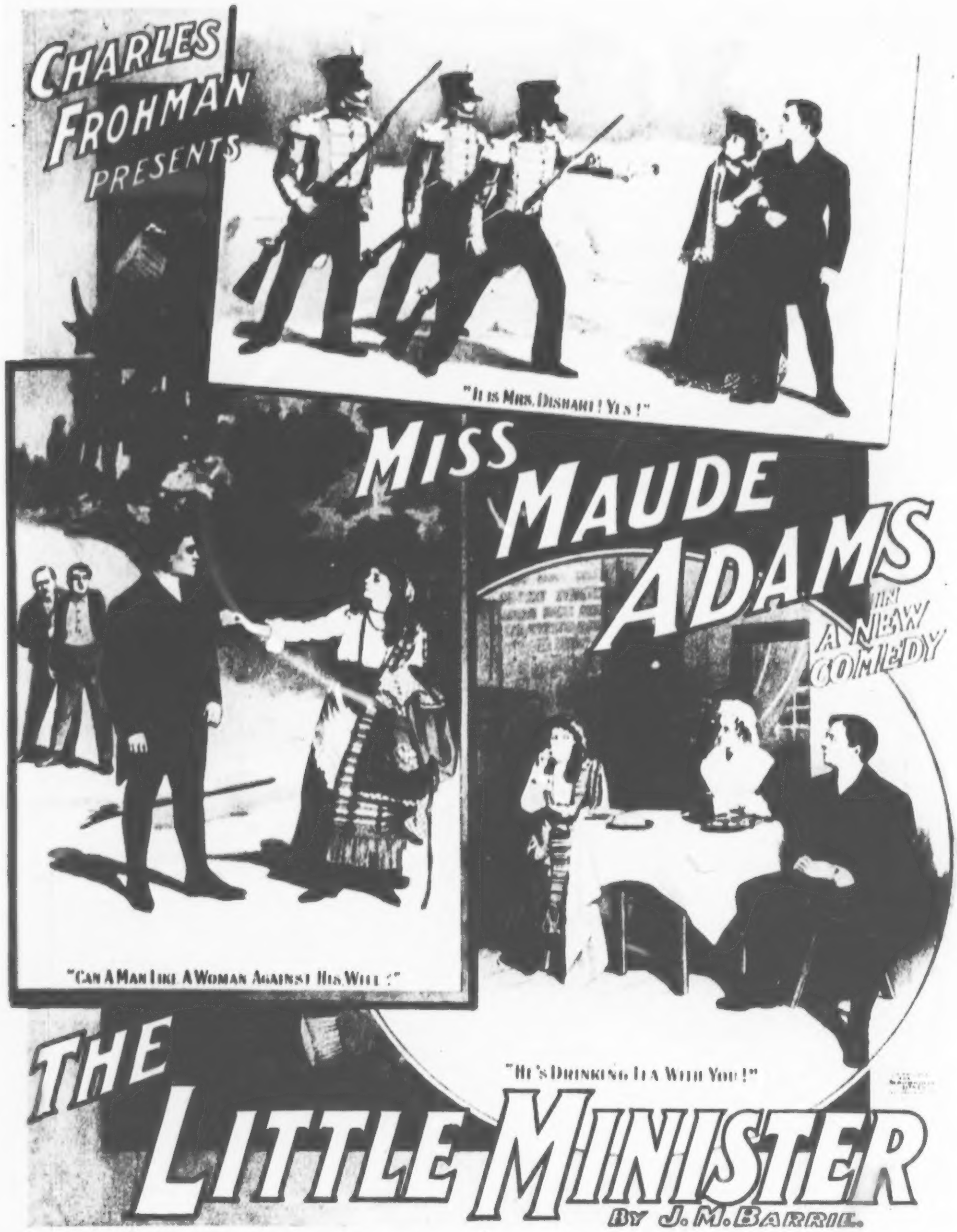
**Cox and Box,** *1879 (artist: Vic Arnold; Alfred S. Seer; woodcut).* Cox and Box *was first presented to the public at the Adelhi Theatre on May 11, 1867. It was Sir Arthur Sullivan's first public appearance as a musical comedian. F. C. Burnand, the dramatist and later editor of* Punch *Magazine, described it thus: "Wishing to present something novel to my guests at a musical and dramatic super party, the notion suddenly occurred to me of turning Madison Morton's farce* Box and Cox *into an opera." He then approached Arthur Sullivan to write the music.*

**G. L. Fox,** *1875 (Henry A. Thomas & Company; lithograph). George L. Fox began his career in 1853 as the good-hearted Yankee in Uncle Tom's Cabin. In the 1860s he found his true calling in pantomime and burlesque.*


G. L. Fox
The original
HUMPTY DUMPTY
Entered according to act of Congress



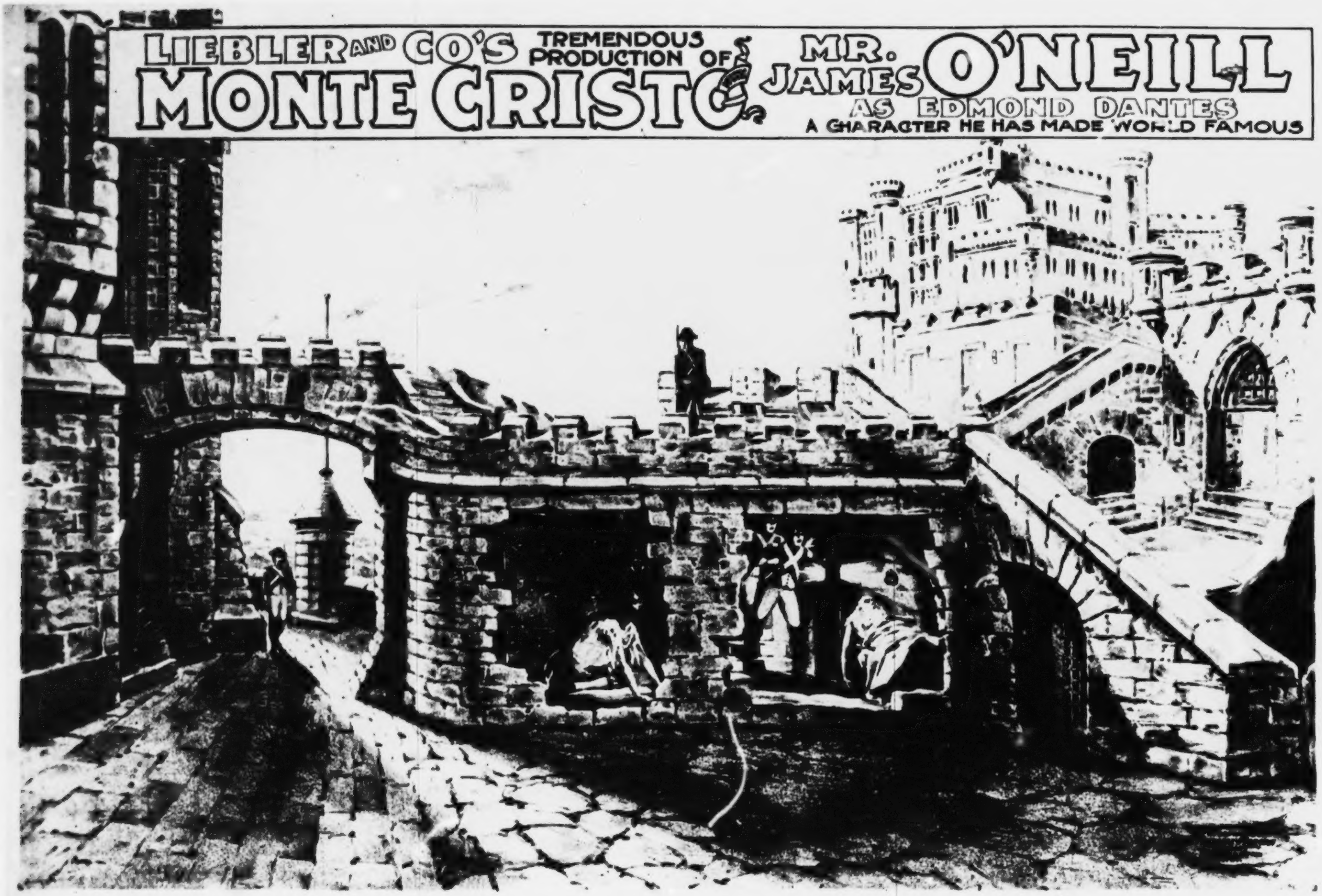
**Evangeline,** *1877 (Boston Job Printing Co.; woodcut). Edward E. Rice produced* Evangeline, *a parody of Longfellow's poem, in 1874. The idea for the show came to Rice after he saw a touring English burlesque troupe and found it "rather depressing." Originally, he set out to win the respectable family trade but ultimately wound up spicing his shows with women playing male roles dressed in tunics and tights. His show also included a dancing cow and a spouting whale. His scenes were set not in Nova Scotia (as they were in the poem) but in Arizona and Africa. With its wide variety of attractions, the show was a long-lived success and versions of it toured the country for thirty years.*


CHARLES FROHMAN PRESENTS
"IT IS MRS. DISHART! YES!"
MISS MAUDE ADAMS
IN A NEW COMEDY
"CAN A MAN LIKE A WOMAN AGAINST HIS WILL?"
"HE'S DRINKING TEA WITH YOU!"
THE LITTLE MINISTER
BY J. M. BARRIE.

**The Little Minister,** *1897 (Strobridge & Co. Litho.: lithograph). This play by J. M. Barrie starred Maude Adams and Robert Edeson. In 1897 it began a run of more than three hundred consecutive performances.*

George C. Howard's first production in 1877, a hundred black performers from Slavin's Popular Original Georgia Jubilee Singers were included in the cast. In addition to the hundreds of different productions in this country and in Europe, selected vignettes of the play and other black specialty acts it inspired were introduced. Companies that included these acts in their performances were called *Tom Troupes* and were the only racially integrated shows in the country. It must be said that the author, Harriet Beecher Stowe, would have had great difficulty recognizing her story. Very few theatrical companies had any compunction about adhering to the book. Although every production had some variant of Eliza running across the ice to escape a pack of dogs, in Paris, for example, that scene was set at Niagara Falls! Because it was not seen as enhancing the commercial success of a performance, the slavery issue was played down until long after the Civil War. Two decades passed before the pain of that war dulled sufficiently for plays dealing with the subject to be introduced. William Gillette's *Held by the Enemy,* Bronson Howard's *Shenandoah,* and David Belasco's *Heart of* Maryland were all classic Civil War dramas. In *Heart of Maryland,* the Southern heroine climbs a forty-foot bell tower and hangs from the clapper so the Confederate soldiers cannot

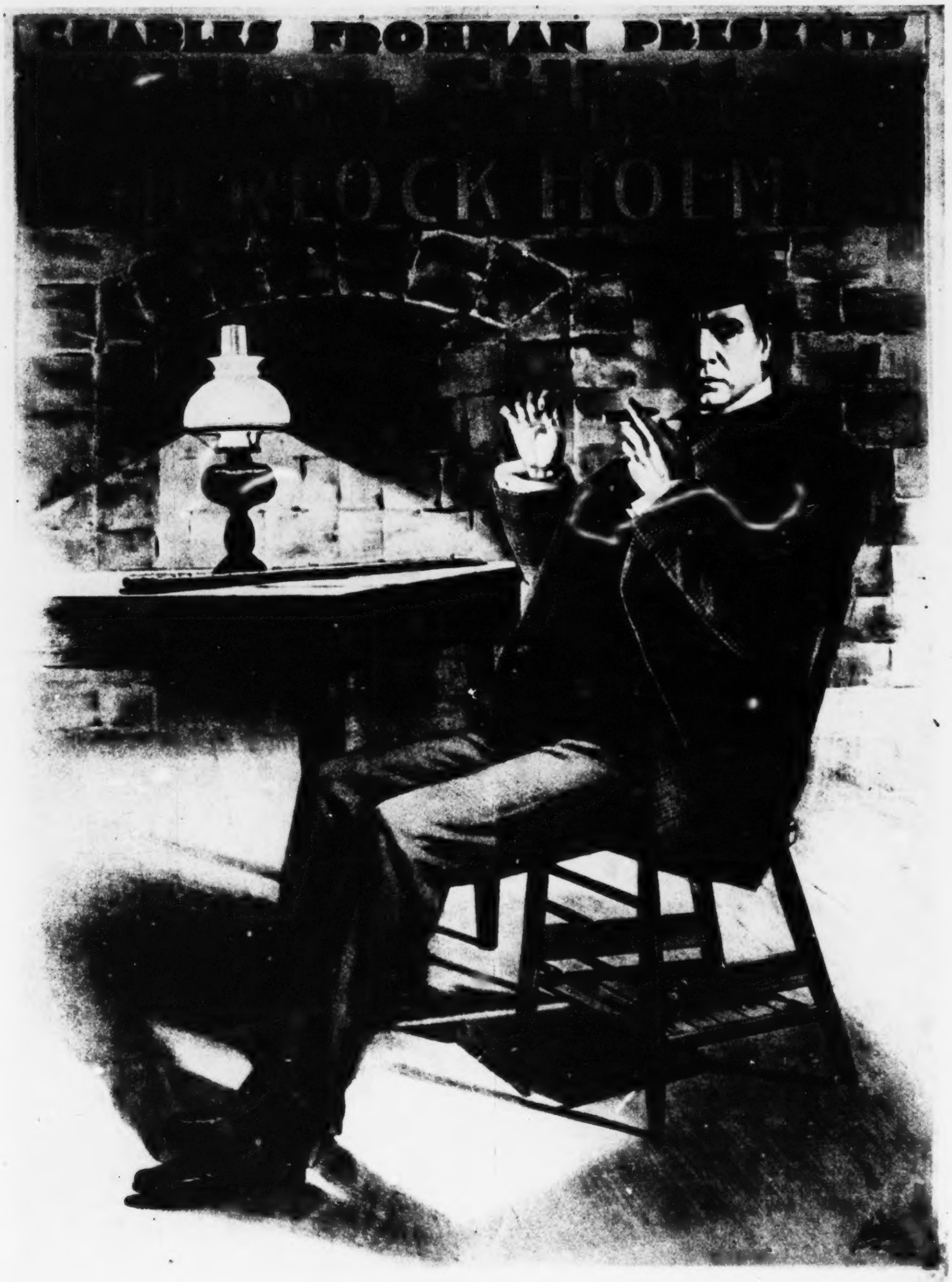
**Slavin's Uncle Tom's Cabin,** *1881 (W. J. Morgan & Co.; lithograph). The first successful dramatic production of* Uncle Tom's Cabin *had an unprecedented run of 325 consecutive performances in New York City during 1853–54. It was adapted by George L. Aiken for George C. Howard's family-based repertory company. The play featured four-year-old Cordelia Howard as Little Eva, a part she was to play until she was eight. In 1877 the Howards, still at it after twenty-five years, played* Uncle Tom's Cabin *with performers from Slavin's Original Georgia Jubilee Singers, known as the "Tom Troupes."*



**Count of Monte Cristo,** *1900 (Russell-Morgan Print. Co.; lithograph). James O'Neill, father of Eugene O'Neill, was on his way to becoming a first-rate versatile actor when he assumed the role of the Count. Ironically, he had had just a week's rehearsal time and was unsteady in the part when the play opened in 1883 and catapulted him to stardom.*

with neglect of technique and a reliance on impromptu inspiration rather than art. Nethersole, on the other hand, exercised considerable discipline and control over her emotional output. She also supported financially, as well as artistically, some of the most avant-garde theater of her day. She appeared in *Carmen* and in George Bernard Shaw's *Mrs. Warren's Profession.*

There are roles which are inextricably bound to their nineteenth-century delineators: William Gillette and James O'Neill were two of the most famous actors remembered for a single character. O'Neill, father of Eugene O'Neill, began his career as a versatile actor who played many parts and showed promise of becoming a worthy successor to Kean, Forrest, and Booth. Perhaps it was the privations of his youth, perhaps his unsteady and mercurial character that caused him to eschew self-development and creative growth. In any case, with the great popularity of the *Count of Monte Cristo* and its tremendous monetary rewards, his talents withered away, until he is remembered today solely as the dashing and romantic count. William Gillette, a friend of Mark Twain and son of a U.S. senator, was known for generations as Sherlock Holmes. Gillette's Holmes is the most familiar example of the cool, shrewd man who steers a safe course through overwhelming complexities and dangers. This character was first intimated in *The Professor* (1881), a play written by Gillette, and later reappeared in such dramas as his *Secret Service* (1897) and the farce *Too Much Johnson* (1895).



**Sherlock Holmes,** *1900 (Metropolitan Print Company; lithograph). Instead of performing his heroics with cape and sword, William Gillette (1855–1937) used as a pistol, a magnifying glass, and native cunning. His manner was so effortless and his crisp staccato delivery of lines seemed to be so spontaneous that he projected an illusion of great naturalness.*

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# The Quarterly Journal
OF THE LIBRA OF CONGRESS

Jefferson's request, Madison even consented to prepare a list of books on theology for the University of Virginia library, though he was painfully conscious of having grown rusty in the command he had once had of this intricate subject. In a codicil to his will, he bequeathed certain relevant parts of his library to the university which he had helped to create. He shared with his dearest friend, Thomas Jefferson, the role of a bookish man in the highest political office, and of a statesman whose learning was applied to the foundation problems of free government.

From this point of view, no tribute could mean more to Madison himself than the decision to memorialize him by a library bearing his name and incorporated into an institution he was the first to propose—the world-renowned Library of Congress. The very fact of the vigorous growth of the Library of Congress—which at the time Madison aided George Watterston to find shelf space in the Capitol, numbered a collection of some sixty-five hundred volumes—would have been hailed with delight by this far-seeing statesman.

* * *

From this intimate and distinctive connection of Madison and books—and indeed Madison and the Library of Congress—one may properly infer that his life and public career bore the imprint of his quest for knowledge as it might be made to influence the destiny of free men in a favoring society. It is not that Madison had a passion for books and a love of learning as a private person, and apart from it, a political role as a "founding father" of the American political system, but that his entire conduct, private and public, reflected the whole man, the man of thought and the man of values, of analytical reason and of political insight, of strong ideals and of realistic arts of negotiation, compromise, and innovation. Madison, whose temper was moderate and whose habitual judgments were reasonable, understood the value of tradition and yet considered himself a "modernist." He thus came to exert his great influence to advance one of the most far-reaching moral and social experiments in the history of Western civilization.

In the full sense of the term he was a philosopher-statesman—a term that must be *contrasted* with the Platonic concept of the philosopher-king. He neither wished nor ever fancied himself to be a wise "ruler" over other men. His efforts were rather directed to opening the way, providing the information and the means to a more substantial freedom and a better society than those which he found in the pages of history or in the existing political systems of his time. Modest and earnest as he was, his greatest ambitions were connected with honorable service to his country and to his fellow citizens. In this objective he found he required all the knowledge he could get to fortify the natural gifts of intelligence which fortunately were his and which he felt strongly the duty to cultivate. His theory and his practice were on good speaking terms. His thoughts about political institutions were deeply based in his philosophy of human nature and in his knowledge of the psychology and normal course of social change. In advocating something so pervasively new as the "American experiment" (a phrase he repeatedly used) he more than fulfilled the requirements of reflective intelligence—grasping the implications of past traditions and ways of conduct while proposing extensive modifications and novelties whose

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Adrienne Koch (1912-1971) participated in the planning of Library of Congress Bicentennial activities and publications as a member of the Advisory Committee on the Library's American Revolution Bicentennial Program. During the summer of 1967, she surveyed the manuscript collections at the Library for material pertaining to James Madison and suitable for exhibition. Professor of history at the University of Maryland from 1966 until her death, Dr. Koch previously held teaching positions at the University of California at Berkeley, Tulane University, and New York University. She was a Guggenheim Fellow, 1944-46, a John Dewey Society of Japan lecturer in Japanese universities, 1959, Whig-Clio Bicentennial lecturer at Princeton, 1965, and a Phi Beta Kappa visiting scholar, 1967-69.

She collaborated with Luther H. Evans, Librarian of Congress from 1945 to 1953, on *History and the Problem of Bibliography,* published in 1946. Her books include: *Adams and Jefferson: "Posterity Must Judge"* (1963), *Power, Morals, and the Founding Fathers: Essays in the Interpretation of the American Enlightenment* (1961), *Madison's "Advice to My Country"* (1966), and *Jefferson & Madison: The Great Collaboration* (1950). The present essay is from an unpublished report prepared for a documentary exhibit on the contributions of James Madison and submitted to Assistant Librarian of Congress Elizabeth E. Hamer on August 1, 1967.

probable consequences he carefully considered before he undertook their defense. These traits qualify him in the company of a few other men of genius among the American statesmen of the revolutionary era and early Republic as that rare historical agent, the philosopher-statesman.

The specific content of his enlightened statesmanship we can best state in his own language: his lifelong goal was to contribute something to join liberty and learning and to advance both. Many statements of this characteristic Madisonian ideal could be introduced. His autobiography, for instance, though a very brief and circumscribed series of comments about himself (for it was with great reluctance that he finally gave way to repeated requests for a sketch of his life) developed at comparatively disproportionate length his reminiscences about his early education and his collegiate days at Princeton. At the same time, Madison stressed in the same memoir that the grand design of his career had been that of serving "the cause of liberty." The opening epigraph may then be taken as definitive of his basic commitment. "What spectacle," he had asked, "can be more edifying . . . than that of Liberty & Learning, each leaning on the other for their mutual & surest support?"

From these and innumerable other such signs, I have taken the unifying theme and direction of Madison's life to be "Liberty & Learning." This is not the place to enter into a disquisition on the complex meaning that Madison compressed into the notion of the cause of liberty. However, one should understand what Madison himself took for granted: that liberty, while an ideal leading principle, was trivially and childishly conceived if taken to mean the absence of responsibility or the negation of justice—with all that the latter goal demands by way of compromise and of the arts of reasonable, deliberative negotiation. His distinctive contributions became possible in the first instance because of his native fine intelligence and strong reasoning powers. But they proved adequate to mastering the unique and fundamental social-political problems of his era, because of his command of learning and his conscientious devotion to the cause of liberty.

brought forward the first tariff, contributed importantly to the establishment of the executive departments, helped define the tone and protocol of the new government, and drafted the Bill of Rights.

Then, he reversed directions—or seemed to if we see his earlier career as dominated by determination to strengthen the central government and guard against the tendency of the majority to neglect the rights of others. Madison, I think, might have defined his objects differently. A child of the republican Revolution, he might have said that liberty was the essential end, to which a proper distribution of powers between the nation and the states was one of several means. And liberty could be endangered in several different ways. During the Confederation years, the Revolution had been threatened— literally, if not immediately—by the debility of Congress and the excessive power of the state assemblies, whose majorities neglected fundamental rights and long-term needs. But liberty could also be endangered by minority control and consequent subversion of the general good. To Madison, the danger seemed to shift in this direction after 1789, and as it did, he fought it by insisting on the limits of the federal government's authority and on policies appropriate for a republican regime. One consequence, for which he shared responsibility with Jefferson, was the creation of America's first political party. Another was enunciation of a doctrine of states' rights which, in less careful hands, would worry his last years.

For much of the 1790s, federal policy was powerfully influenced by the genius of Alexander Hamilton, secretary of the treasury under Washington and, later, ranking major general of the army. Hamilton sought national greatness, and he judged a nation's greatness by its ability to thrive in international competition. The United States, he thought, could be competitive, in time, with great Atlantic empires such as France and Britain. But it must first create a basis for successful competition. The model was Great Britain. The agent was to be an active federal executive. The most essential means included a structure of public finance much like the English one—a funded debt and a national bank, which would secure the government's ability to borrow in a crisis while enlarging the liquid capital available for economic development—small but vigorous armed forces, and maintenance of a cordial relationship with Britain, the single country which could pose a profound danger to the fledgling nation and the country, too, whose exports were the source for much the greatest portion of the federal revenue.

To Madison, this Hamiltonian program gradually assumed the image of a counterrevolution. It endangered union by unduly favoring a single section of the country, the commercial East. It undermined the health of a republican society by increasing the disparities of wealth between the rich and poor. By concentrating power in the federal government and federal power in the hands of the executive, whose influence was corruptly swollen by close association with the congressmen and economic leaders who profited from the financial program, it threatened representative government itself. Later in the decade, as the wars of the French Revolution came to dominate attention, it recommended a pro-British foreign policy that compromised the nation's needs and independence. By 1798, when the Federalists enlarged the army, undertook a quasi-war with France, and enacted legislation to repress domestic criticism of the government, opponents saw a threat to liberty quite comparable to the one the British Parliament had posed in revolutionary days.

Beginning in the second session of the House of Representatives, when he objected to the funding plan, Madison assumed the leadership of the congressional critics of Hamiltonian policy. By 1792, he and Secretary of State Thomas Jefferson were coleaders of an opposition that was reaching out to mobilize the public, the embryo of the Republican (now the Democratic) party. Madison married the attractive widow Dolley Paine Todd in September 1794 and declined to stand for reelection in 1796, but Jefferson became vice president and Madison maintained close touch with politics from his retirement. In the crisis of 1798, he drafted the Virginia Resolutions, which, like Jefferson's Kentucky Resolutions, insisted that the states could interpose their authority against federal measures which violated the Constitution. In 1799 he reentered the Virginia House of Delegates to defend the Resolutions of 1798, and in 1800 he served as a Republican elector in Jefferson's successful campaign to unseat John Adams. On March 5, 1801, the new president nominated him secretary of state.

From 1801 through 1808, Madison was both an able secretary and the president's closest adviser. The basic policies of Jefferson's administration were so much a product of their long collaboration that the purposes defined in 1801 would continue to guide the executive long after Madison succeeded his old friend.

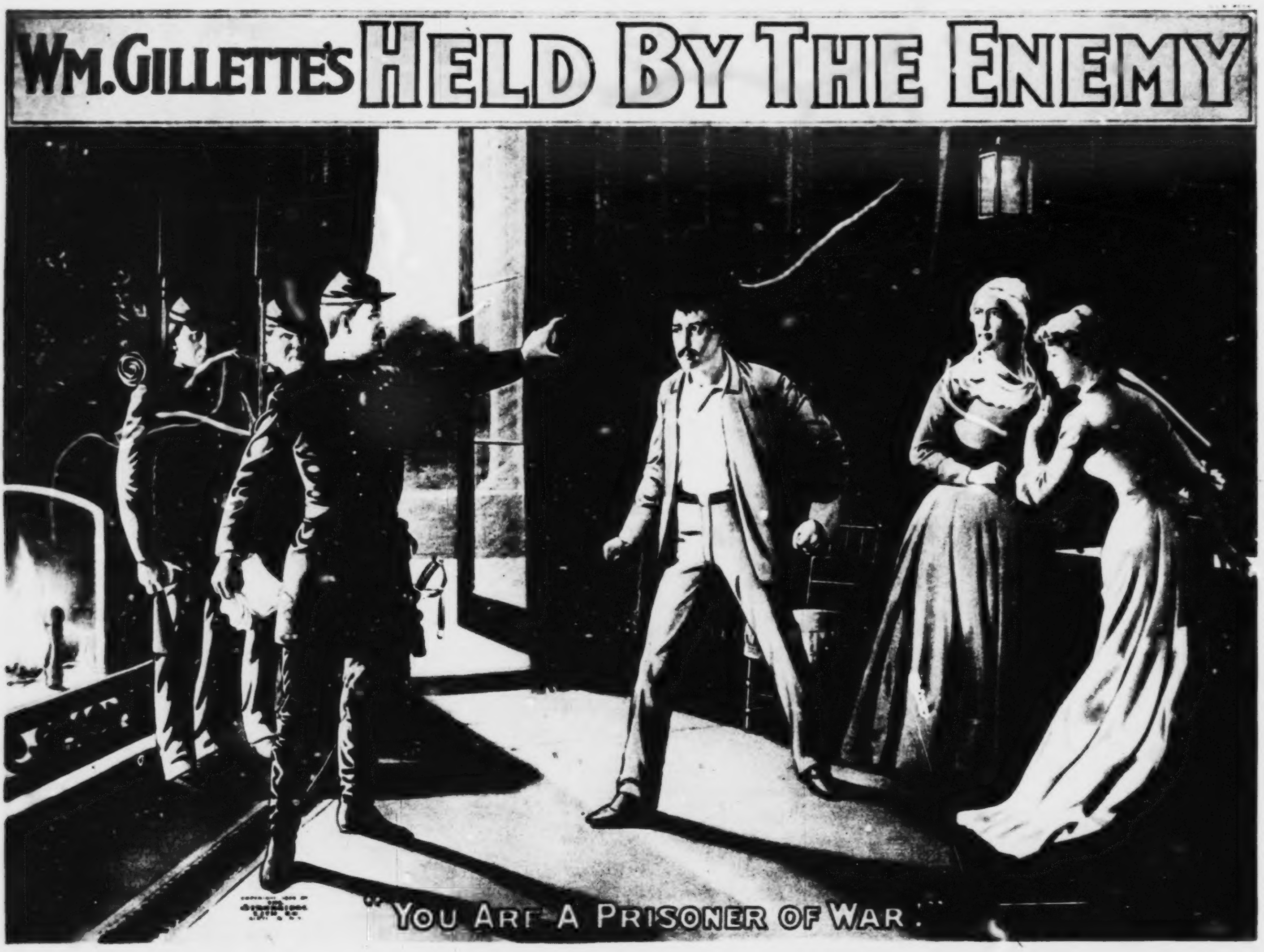
The fundamental goal of the Republican chief magistrates was to recall the federal government to principles consistent with the republican Revolution, to reverse a pattern that for ten years' time had seemed to them to thrust inexorably toward the subversion of a democratic social order and the restoration of a hereditary regime. Beyond refusal to renew the Alien and Sedition Acts and removal of the most active Federalists from office, the most important object was a quick retirement of the public debt, with the concomitant retrenchment that seemed good in any case. The program was developed during Jefferson's first year. Congress committed itself to a plan designed to pay the debt by 1817, abolished the internal taxes, and reduced the army to 3,000 men. Both Jefferson and Madison would try to keep this course throughout the next ten years.

The domestic policy of little governmental guidance was amazingly successful. The country prospered. Jefferson was reelected and Madison succeeded him with little opposition. It was foreign policy that brought both men to grief.

Jefferson had come to power toward the start of the only significant pause in the war between Great Britain and revolutionary France, which stretched from 1793 to 1815. Renewal of the war in 1803 persuaded Napoleon to sell Louisiana, whose purchase doubled the size of the United States and was the single great success of Republican diplomacy. By 1807, the European giants had turned to a commercial warfare which presented the Republicans with a dilemma that they could not solve. Napoleon's decrees combined with Britain's orders-in-council to threaten the seizure of any American vessel trading with the continent of Europe. Britain's domination of the seas and its insulting practice of subjecting ships to search and sailors to impressment gave the United States few choices other than submission or the threat of war. Republican ideals damned either choice. Submission was unthinkably dishonorable and might endanger the revolutionary regime. War—or even preparations for defense sufficient to convince the Europeans that a war was likely—could endanger civil liberties and would demand reversal of the effort to retire the debt and shrink the role of government in national life.

The Republican alternative, which had been hinted at by Madison when the United States faced similar difficulties during the 1790s, was to refuse to trade with the belligerents. Believing that America was healthier than Europe, since it exported food and other raw materials and got back luxuries or manufactured goods that it could either make itself or do without, Madison and Jefferson expected to compel the French and British to respect neutral rights without incurring the risks to a republican society and government that war might entail. In December 1807 Congress placed a complete embargo on American trade.

The administration badly overestimated the importance of American commerce to belligerents who saw themselves engaged in a war for national survival, and it seriously misjudged the consequences for the United States, which had much less at stake. Under the embargo, all American sailings overseas were halted for more than a year. Depression hit the country, and, in Federalist New England and upstate New York, resistance rose to such proportions that it could not be repressed except by measures unacceptable to friends of limited government and civil rights. To keep the peace within the country and to check a Federalist revival, the Republicans relaxed their application of the economic weapon. On March 1, 1809, three days before Madison's inauguration, Congress replaced the embargo with an act that limited nonintercourse to trade between America and the belligerents or their possessions. This was the first of several changing measures, accompanied by threats of war and hints of an American alliance, by which Congress and Madison's administration sought to force the Europeans—particularly the British—to alter their obnoxious policies. On

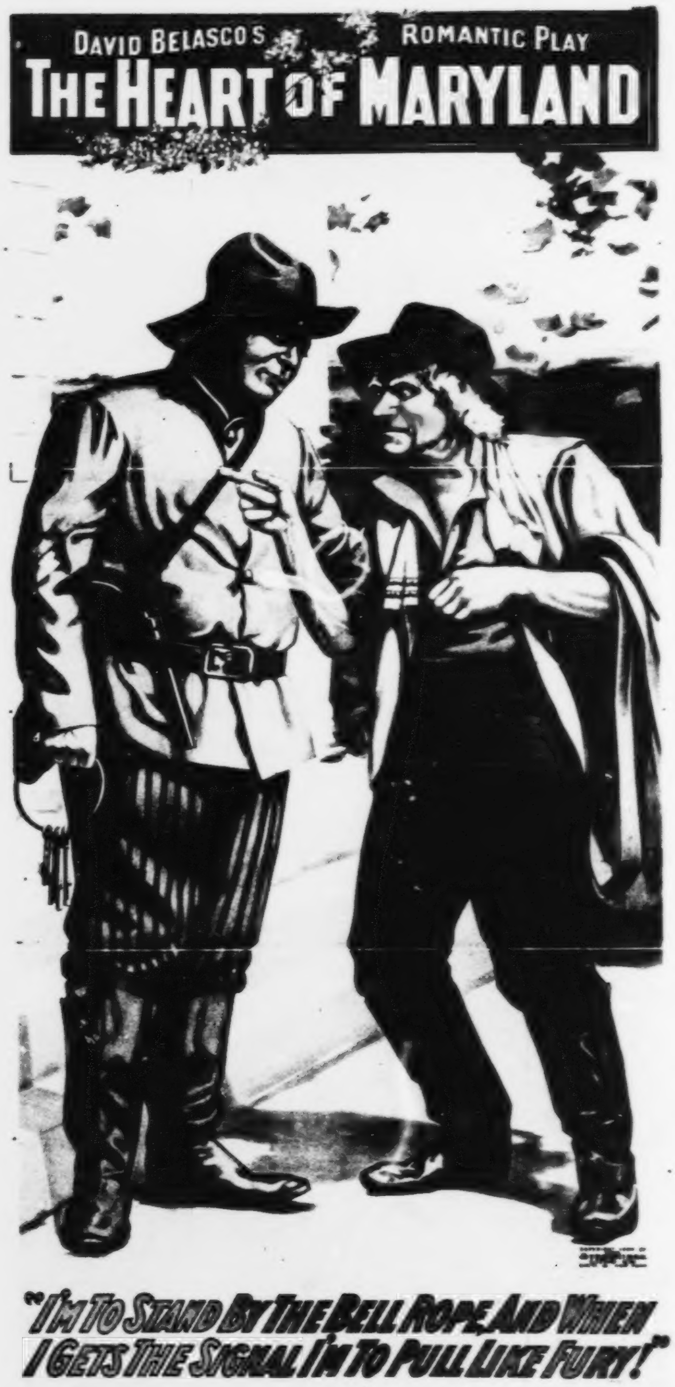

WM. GILLETTE'S HELD BY THE ENEMY
"YOU ARE A PRISONER OF WAR."

**Held by the Enemy,** *1898 (Strobridge & Co. Litho.; lithograph). William Gillette ran away from home in order to pursue his dramatic ambitions. After a short apprenticeship in a stock company, he made his New York debut in 1877. Gillette wrote, adapted, or collaborated in the writing of some twenty plays. Many of them, like* Held by the Enemy, *were colorful, suspense-filled melodramas.*

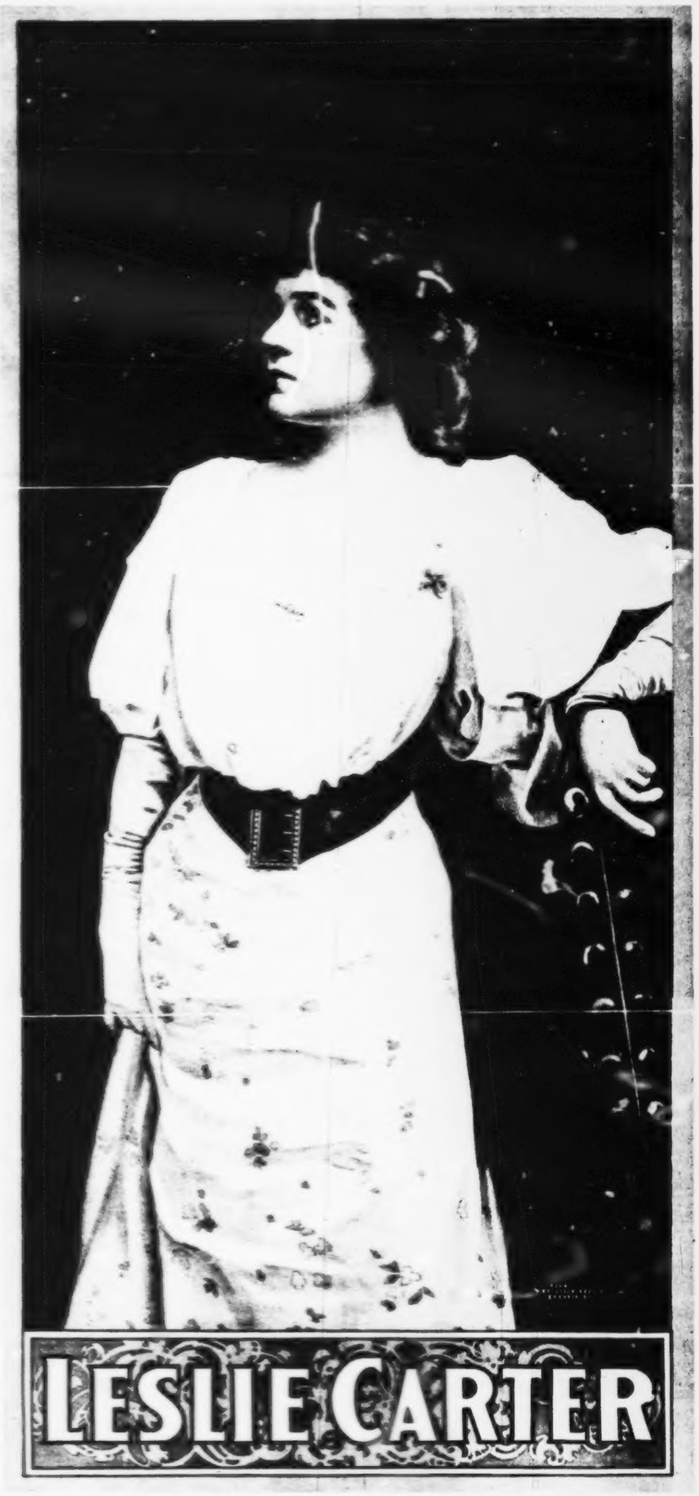
ring the alarm to prevent her Union Army lover from escaping.

Gradually displacing the individual star performer as the creative center of American theater, there appeared dramatist-director-managers. Dion Boucicault, Steel Mackaye, James A. Herne, David Belasco, and others initiated new production procedures offering the play as star. David Belasco, the author of *Heart of Maryland* and later a successful producer, was a master craftsman with a genius for inventing effective stage business in the realistic style. He was largely responsible for the stunning stage success of Leslie Carter. He fought Charles Frohman and the booking syndicate because he wanted complete control of his productions.

At a time when live theater was the primary medium of popular entertainment, Charles Frohman was the Napoleon of the American stage. At the height of his career he owned theaters in New York and London worth over five million dollars. He employed ten thousand people and paid thirty-five million dollars a year in salaries. Although he delegated much of the creative work to subordinates, each of his productions was unmistakably his own. His power primarily derived from his membership in the syndicate that was formed in 1896 to gain control of booking and that, as a result, dominated


DAVID BELASCO'S ROMANTIC PLAY
THE HEART OF MARYLAND
"I'M TO STAND BY THE BELL ROPE, AND WHEN I GETS THE SIGNAL I'M TO PULL LIKE FURY!"

**Heart of Maryland,** *1900 (Strobridge & Co. Litho.; lithograph). This play by David Belasco was first produced at the Grand Opera House in Washington, D.C., on October 9, 1895. It was Belasco's first substantial success and the drama which introduced Leslie Carter to the theater.*



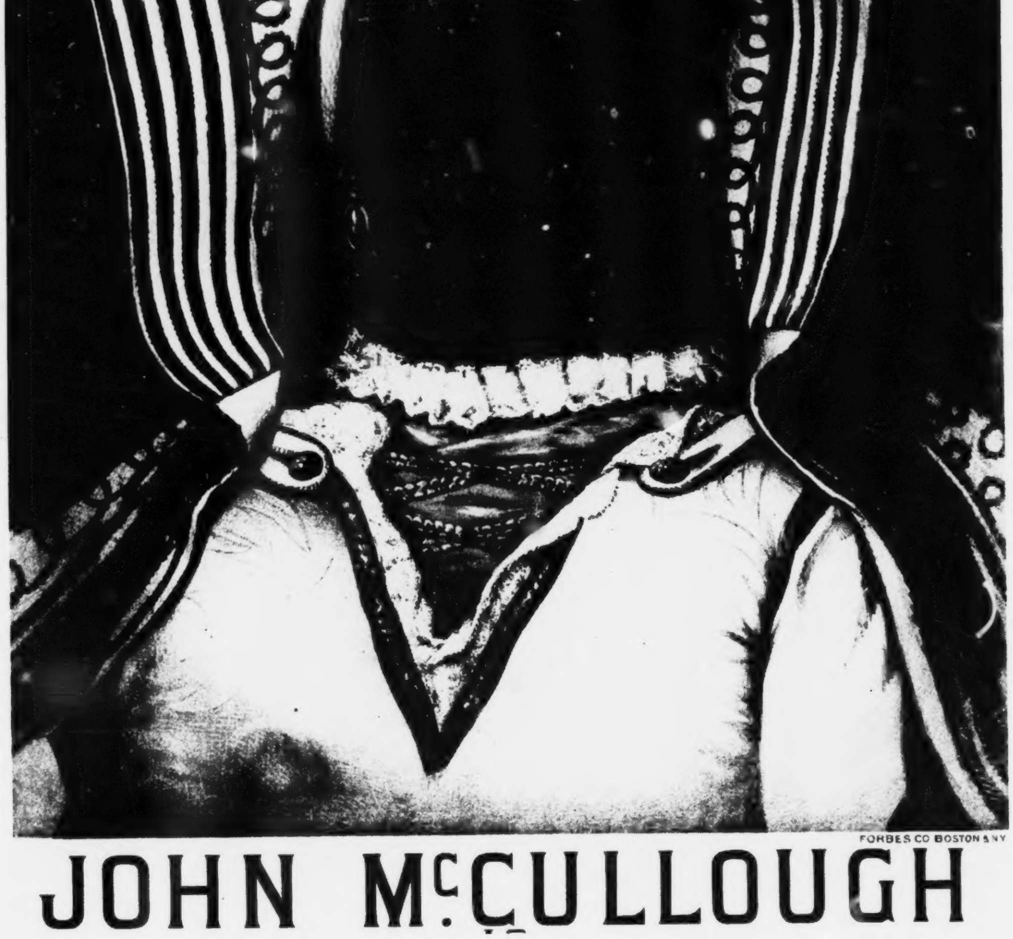
**Leslie Carter,** *1899 (Strobridge & Co. Litho.; lithograph). She invariably won her audience at her first entrance with her mass of red hair, her shapely figure, her soft blue eyes, and her mellifluous, musical voice. Leslie Carter brought her audience to their feet cheering with overpowering hysterics. According to biographer William Winter (1891) "her method was to work herself into a state of violent excitement, to weep, vociferate, shriek, rant, become hoarse with passion, and finally to flop and beat the floor."*

**The Professor,** *1881 (Alfred S. Seer; woodcut). The first of William Gillette's plays to be produced,* The Professor *had its premier at the Madison Square Theatre in New York on June 1, 1881. The author appeared in the title role, playing an absent-minded professor, for 150 performances that year.*

Thomas Wallace Keene was born in New York City on October 26, 1840, and made his debut as Lucius in *Julius Caesar* in 1856. For the next decade he acted chiefly in traveling companies, rising slowly to more important roles. Although he was finally not a great actor, his career embodies the life of the times. Of Thomas Keene a critic has written:

> Mr. Keene rose from the lowest rank to be recognized as a competent impersonator of characters as complex and elevated as Shakespeare's *Gloucester* and *Othello.* He was not a genius, but he was, on the other hand, a diligent and ambitious man of alert intellect, who had mastered the technical difficulties of his profession, and used its symbols in such a way as to make his conception of a part perfectly clear to a miscellaneous audience. His work lacked the last degree of refinement, his best work was not free from crudity and rawness, and some of the worst defects of an exaggerated style marred everything he did. But he was earnest and intelligent, and strove for improvement. The loss of such an actor, in a day when actors worthy of the name are lamentably scarce, is not to be passed over lightly.

The economic climate of early twentieth-century America sounded the death knell for theatrical road companies. Train travel was a costly expense, and attendance fell off as rural devotees, no longer satisfied with approximations, started going to the city to see the originals. As theater was increasingly concentrated in the major cities, producers began to rely heavily on local newspapers for their advertising needs. This abrupt change was a harsh blow to many of the great lithographic firms, and by 1910 they no longer produced a significant number of theater posters.



**Othello,** *1878 (Forbes Company; lithograph). John McCullough (1832–1885) as Othello. "His art was noisy, scorned repose, laughed at subtlety but hammered its points with a force that meant sincerity at least. It was virile without virtuosity. . . . It was, I take it, the 'Forrest school' going to seed, bold, noisy, direct to the audience, careless about settings, almost random as to costumes. The old triumphant carelessness that aimed at 'the Gods' with a thunderclap speech, and if a 'hit' was scored, let that suffice."*

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*Published as a supplement to the Annual Report of the Librarian of Congress*

# The Moderate as Revolutionary

## An Introduction to Madison's Life

by Lance Banning

Two of the three great monuments that grace our capital remember great Virginians of the founding time. We have honored Madison less grandly, but this would not distress him. None of our public men has been less capable of envying the greater glory of his colleagues. None ever made more modest claims for his achievements.

Great men are often individuals of striking presence, whose aura may be fixed indelibly in memory. Rooms hushed when Washington walked in. He was of kingly mien and nearly mythological prestige, and we recall him in the mantle of a Roman emperor. Jefferson sparkled with brilliant conversation and wrote in phrases that will never fade. There was nothing so distinguishing about James Madison, nothing in his presence to provoke that touch of awe that makes a man a hero. His prose was sound, but plain. We imagine him in gray or in the black he always wore, moving toward the corner of the room. In apearance, he was nature's commoner, ill-equipped for a heroic role in nearly every native attribute except intelligence. Of all our statesmen, though, no more than three or four have done so much to shape our public life.

Born into that class of eighteenth-century gentlemen who ruled because they dominated the society of their localities—his father was Orange County's leading planter—Madison matured with the American Revolution. He was fourteen, acquiring Greek and Latin at a fine Tidewater boarding school, when Patrick Henry's resolutions set the tone for the colonial resistance to the stamp tax. In 1769, at age eighteen, he went to Princeton, where he finished three years' work in two. These were the years when radicals could not prevent the gradual collapse of the colonial nonimportation movement in the face of Britain's relaxation of its effort to raise a colonial revenue. Under President John Witherspoon, the College of New Jersey was open to the contagion of liberty. The curriculum included all the masters of the British Whig tradition. The atmosphere was Presbyterian and patriotic. The students dressed in homespun and spoke at their commencements in defense of public spirit, resistance to tyranny, religious toleration, and "The Rising Glory of America." Madison was twenty-one when he returned from Princeton. He had as good an education as the colonies afforded, together with a

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Lance Banning, a John Simon Guggenheim Fellow on leave from the University of Kentucky, where he has taught since 1973, is the author of *The Jeffersonian Persuasion: Evolution of a Party Ideology* (1978) and is currently writing a biography of James Madison.

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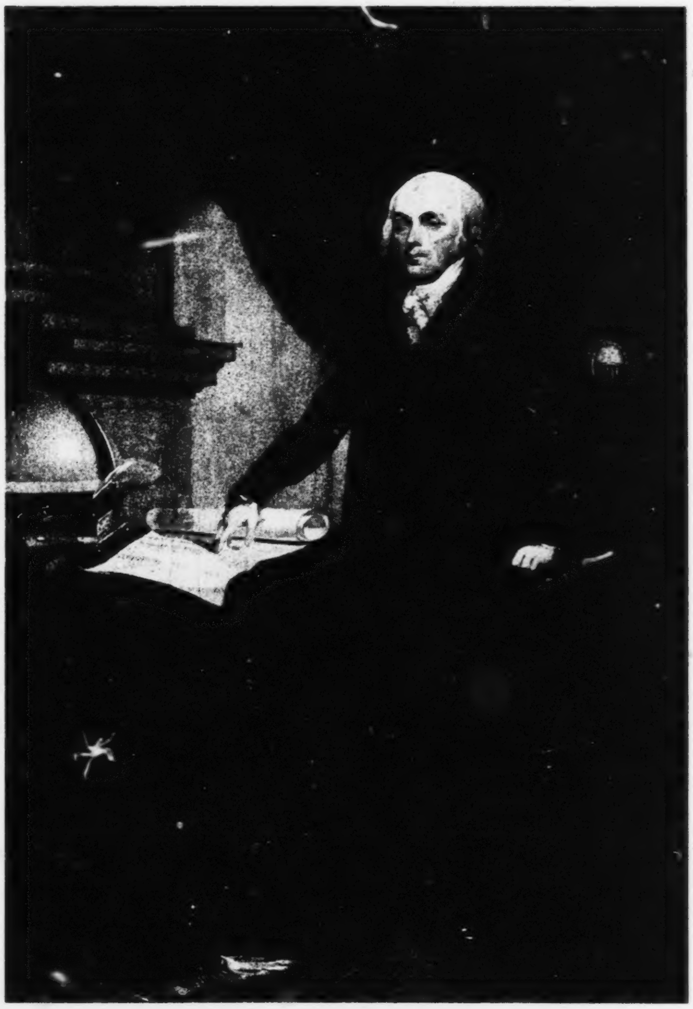
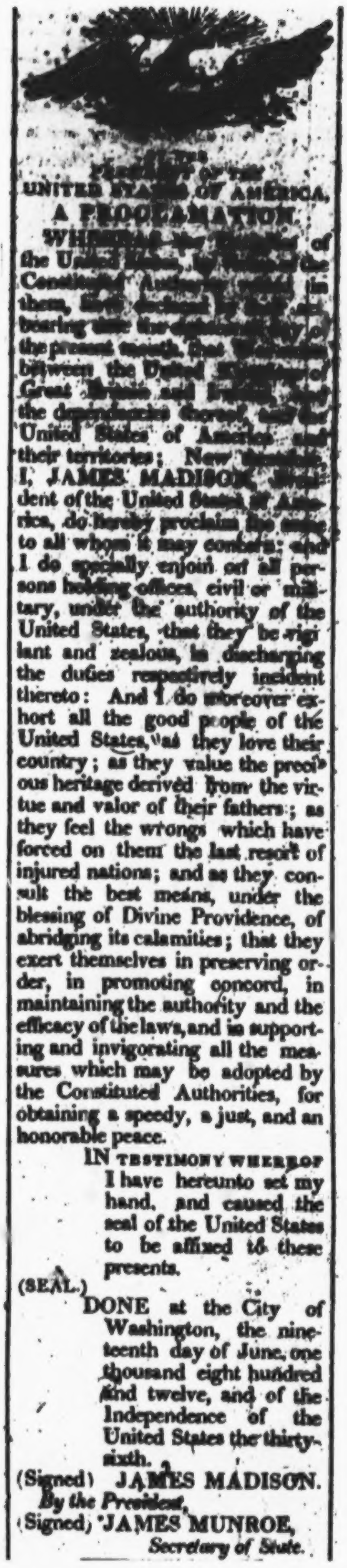


*Stipple engraving of James Madison by Thomas Sully. Philadelphia, 1810. Prints and Photographs Division, Library of Congress.*

*Montpelier, Madison's home in Orange County, Virginia, where he died on June 27, 1836. Wood engraving from the* Family Magazine, *1830. Photograph by Hirst Milhollen, 1947. Prints and Photographs Division, Library of Congress.*



BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

WHEREAS [illegible] of the U[illegible] the Constituted [illegible] in them, [illegible] bearing [illegible] the present month, [illegible] between the United [illegible] Great [illegible] and [illegible] the dependencies thereof, [illegible] United States of America [illegible] their territories; Now [illegible] I, JAMES MADISON, [illegible] dent of the United States [illegible] rica, do hereby proclaim the [illegible] to all whom it may concern: [illegible] I do specially enjoin on all persons holding offices, civil or military, under the authority of the United States, that they be vigilant and zealous, in discharging the duties respectively incident thereto: And I do moreover exhort all the good people of the United States, as they love their country; as they value the precious heritage derived from the virtue and valor of their fathers; as they feel the wrongs which have forced on them the last resort of injured nations; and as they consult the best means, under the blessing of Divine Providence, of abridging its calamities; that they exert themselves in preserving order, in promoting concord, in maintaining the authority and the efficacy of the laws, and in supporting and invigorating all the measures which may be adopted by the Constituted Authorities, for obtaining a speedy, a just, and an honorable peace.

IN TESTIMONY WHEREOF I have hereunto set my hand, and caused the seal of the United States to be affixed to these presents.

(SEAL.)

DONE at the City of Washington, the nineteenth day of June, one thousand eight hundred and twelve, and of the Independence of the United States the thirty-sixth.

(Signed) JAMES MADISON.

*By the President,*

(Signed) JAMES MUNROE,

*Secretary of State.*

*June 19, 1812, Madison signed the declaration of war with Great Britain passed by Congress on June 18. It was published in the* National Intelligencer *on June 20, 1812.*

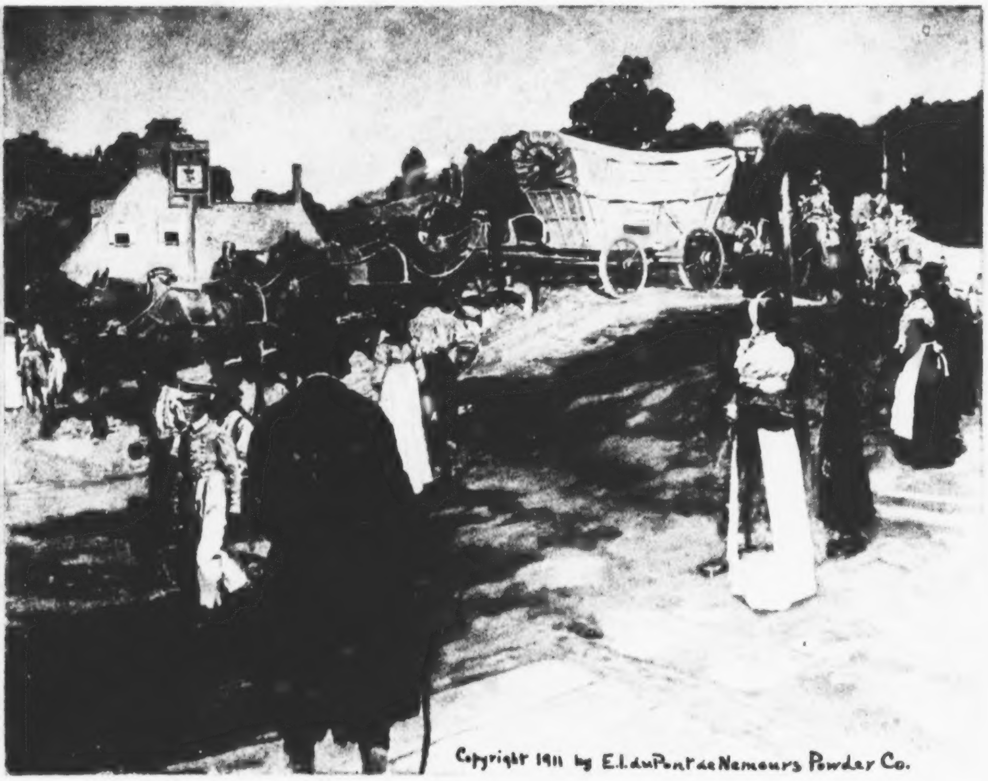
the surface, though, the pattern looked like an American retreat. One measure was abandoned for a weaker just as it began to have effect. And a continuing refusal to make military preparations suggested that America would never fight.

Madison thus reaped a wormy harvest from his principles and personality. Jefferson himself had been unable to persuade a critical proportion of the people to accept the sacrifices called for by the embargo, nor was he able to lead Congress to a workable alternative. Madison lacked Jefferson's unmatchable prestige. His principles demanded diffidence in the executive's relations with the Congress. His modesty and caution, often seen as indecisiveness, combined with his continuing commitment to commercial measures of resistance to convince domestic foes and foreign statesmen that he would never find the stomach for a stronger stand. His dislike for warlike measures, more than shared by the Republican majority in Congress, left the country unprepared when he at last decided that he could not avoid a war. On June 19, 1812, he signed the declaration.

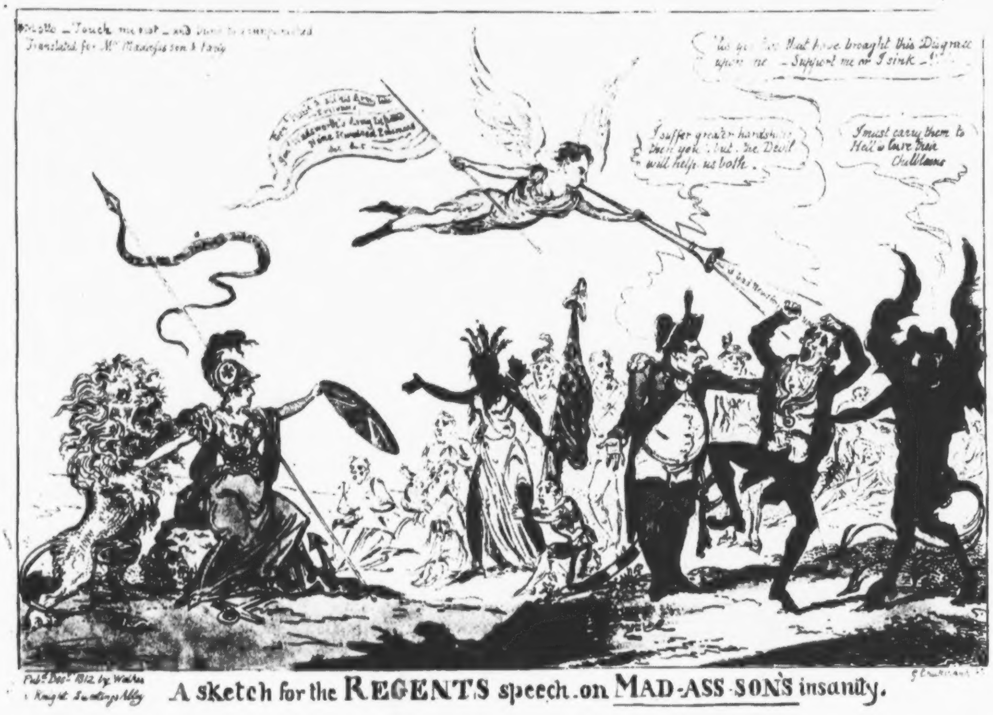
What followed might have been a tragedy: a national disaster brought on by the Republican majority's misjudgment of America's position in the world. In 1812 America, with sixteen warships and a regular army of fewer than seven thousand well-trained men, challenged one of the world's great empires. New England refused to cooperate. Madison was not ideally suited to be wartime chief of state. He had little military knowledge and insufficient willingness to shove incompetents aside. After twenty months of inconclusive fighting, Napoleon's defeat in Europe released Great Britain's veteran soldiers for a dual invasion, north and south, which might have led to national disintegration.

In the event, of course, the British forces were repulsed. News of Andrew Jackson's crashing triumph at New Orleans reached the capital in close conjunction with the news of peace, agreed upon at Ghent on December 24, 1814. The country felt that it had won a brilliant victory and covered its president with glory.

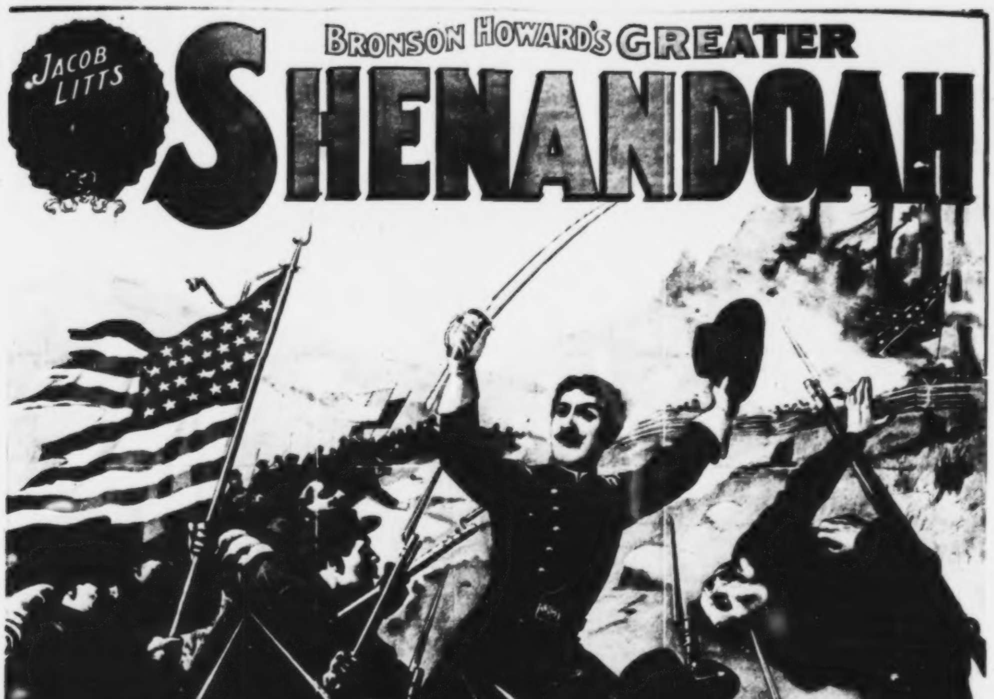
In his last two years in office, Madison em-


Copyright 1911 by E.I. du Pont de Nemours Powder Co.

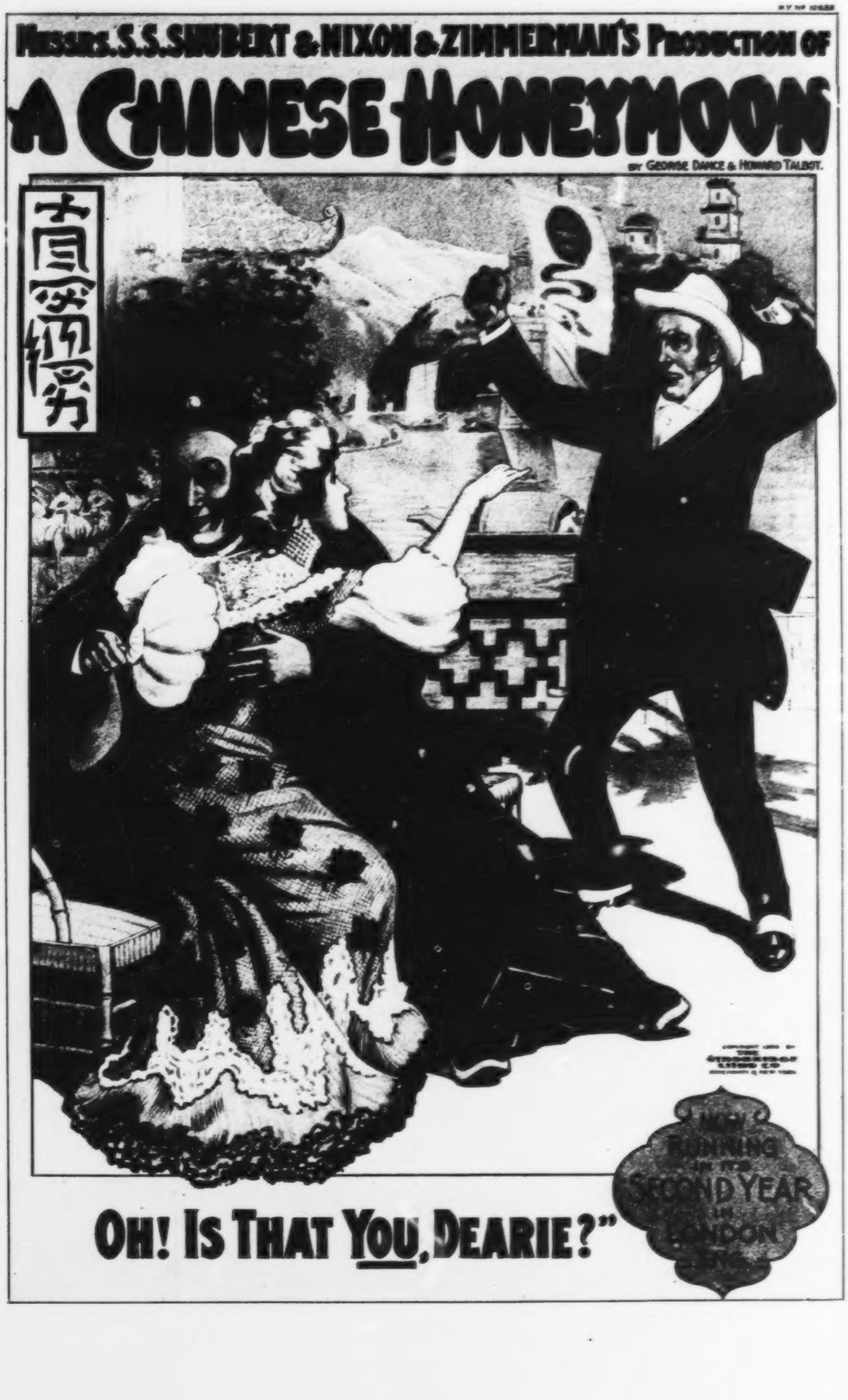
*Americans were little prepared for war when it was declared. Here a Du Pont Powder wagon carries gunpowder to Lake Erie for Commodore Perry. By Howard Pyle, 1911. Prints and Photographs Division, Library of Congress.*


Motto – Touch me not – and think to go unpunished
Translated for Mr. Madassons & Party
'Tis you two that have brought this Disgrace upon me – Support me or I sink –!
Gen. Wadsworth's Army taken
Nine Hundred Prisoners
I suffer greater hardships than you! but, the Devil will help us both.
I must carry them to Hell to cure their Chilblains
A sketch for the REGENTS speech on MAD-ASS-SON'S insanity.

A Sketch for the Regents speech on MAD-ASS-SON'S insanity, *a British cartoon etched by G. Cruikshank, London, December 1812, shows the president receiving the "bad News" of the failure of the first major U. S. offensives in Canada during the War of 1812. The banner the angel carries refers to Gen. William Hull, who surrendered Detroit and the Michigan territory to Sir Isaac Brock (August 16, 1812) and to Brig. Gen. William Wadsworth, who participated in a second invasion of Canada in October 1812. Madison stands between Napoleon and the Devil saying " 'Tis you two that have brought this Disgrace upon me." Britain is triumphant, flaunting the slogan "Touch me not—and think to go unpunished." Prints and Photographs Division, Library of Congress.*



**Shenandoah,** *1898 (Strobridge & Co. Litho.; lithograph). Important as one of the first native American playwrights to successfully use native scenes and themes, Bronson Howard (1842–1908) skillfully interwove plot and character against a Civil War background in his drama* Shenandoah, *Howard's greatest success.*


MESSRS. S.S. SHUBERT & NIXON & ZIMMERMAN'S PRODUCTION OF
A CHINESE HONEYMOON
BY GEORGE DANCE & HOWARD TALBOT.
OH! IS THAT YOU, DEARIE?"
NOW RUNNING IN ITS SECOND YEAR IN LONDON ENG.

**Chinese Honeymoon,** *1902 (Strobridge & Co. Litho.; lithograph). The Shubert brothers challenged the monopoly of the syndicate in 1905, and, after twenty years of conflict, relieved by brief periods of cooperation or truce, fell heir to what remained of the syndicate's theatrical empire as the last of its members retired and motion pictures began to replace live theater as a medium of popular entertainment.*

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**Othello,** *1884 (W. J. Morgan & Company; lithograph). Outside of New York City, Thomas W. Keene was one of America's most beloved Shakespearean actors.*

**Editor** FREDERICK MOHR

**Associate Editors** IRIS BODIN
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**Production** HARVEY SATENSTEIN
JOHANNA CRAIG

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COVER: *On March 1, 1976, Walker K. Hancock's statue of James Madison was delivered from Pietrasanta, Italy, where it was sculpted from fine Carrara marble. The statue itself, not including its base, measures about eight feet one and a half inches high. Hancock portrayed Madison as a young man, in his thirties, holding in his hand volume 83 of the* Encyclopédie méthodique, *which deals with "économie politique et diplomatique." He based the likeness primarily on paintings by Charles Willson Peale, Gilbert Stuart, and John Trumbull and measurements from a life mask of Madison made by the sculptor J. H. I. Browere in 1825.*

*The statue was placed on its pedestal in the Madison Memorial Hall on July 10, 1978. It will be unveiled by Librarian of Congress Daniel J. Boorstin at the opening of the James Madison Memorial Building on April 24, 1980.*

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# Editor's Note

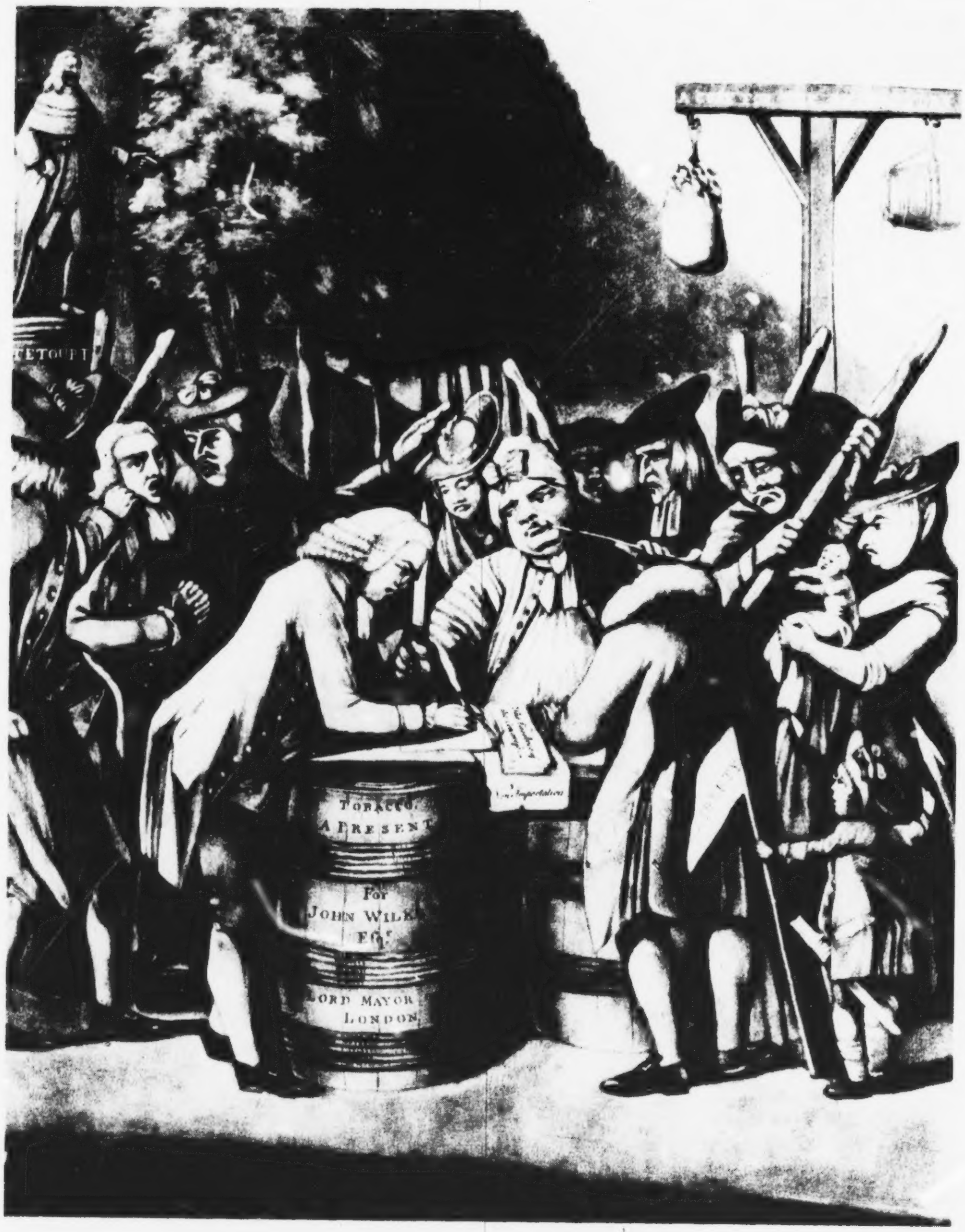
"No man would refuse to quit a shattered and tottering habitation, for a firm and commodious building, because the latter had not a porch to it; or because some of the rooms might be a little larger or smaller, or the cieling a little higher or lower than his fancy would have planned them."

So James Madison spoke in the Federalist paper no. 38 of moving from the Articles of Confederation to the Constitution, not promising perfection but encouraging a nation's spirited inhabitants to breathe life into a new structure. Library of Congress staff returning to Capitol Hill in 1980 from outlying rental quarters might talk of ceilings too, wondering as they move into the large new building on Square 732 how it will work when all the pieces are in place, when maps and manuscripts, prints and photographs, newspapers, motion pictures, and music recordings are all housed under the commodious roof of the James Madison Memorial Building.

The enormous building and memorial to James Madison was born of compromise, the kind of solution familiar to the early legislator. "New Library Annex Will Be Named for President Madison: Compromise Saves Two Blocks of Restored Homes," read a headline in the *Washington Post*, February 16, 1965. Residences dating from the nineteenth century and St. Mark's Church, constructed in the 1880s, would have had to have been razed to clear a site for a Library building east of the first annex, the Thomas Jefferson Building. As early as 1958 the Library of Congress had reached the point "at which there is no possibility of a lasting solution of housing collections and staff adequately through adjustments within the Library's present quarters" and the annual report announced a study of possibilities for a third building. Shortly thereafter, the Madison Memorial Commission, established on April 8, 1960, proposed to Congress a memorial for James Madison containing an exhibition hall, a small research center, and space below ground for storage of presidential papers to be constructed on Square 732, land cleared south of the Library of Congress Building. The joining of the two endeavors has now produced a third building for the Library of Congress to be a permanent monument to James Madison on that site.

The Madison Memorial Building will more than double the interior space of the Library of Congress. Madison, a prodigious user of books, would have made himself at home in the new space. The collections of the nation would have provided him an incomparable resource in his search for a workable confederacy. Libraries should, he thought, serve the general good. Drafting a letter to Dr. Jesse Torrey, Jr., on January 30, 1822, Madison said of libraries that "A Tree of useful knowledge planted in every neighbourhood, would help to make a paradise, as that of forbidden use occasioned the loss of one."

The building will contain much that Madison himself contributed to our understanding of the events of his day—signally his notes on the debates in the Federal Convention—and will answer his concern that later generations have documentary materials to guide them. In 1967, at the request of Assistant Librarian of Congress Elizabeth E. Hamer, Madison scholar Adrienne Koch surveyed the Madison Papers at the Library of Congress. She commented in a report on her findings that "Madison scholarship is in many important areas still *terra incognita*." Professor Koch's report helped to shape this issue of the *Quarterly Journal*. It was her wish that Madison might become for visitors to Washington "a man to remember, with a trace of affec-



The Alternative of Williamsburg. *London, Printed for R. Sayer & J. Bennett, February 1775. At this time in Virginia feelings ran high for liberty and against the Loyalists, who were encouraged to sign a Continental pledge by such devices as the tar and feathers hanging from a gibbet labeled "A Cure for the Refractory."*

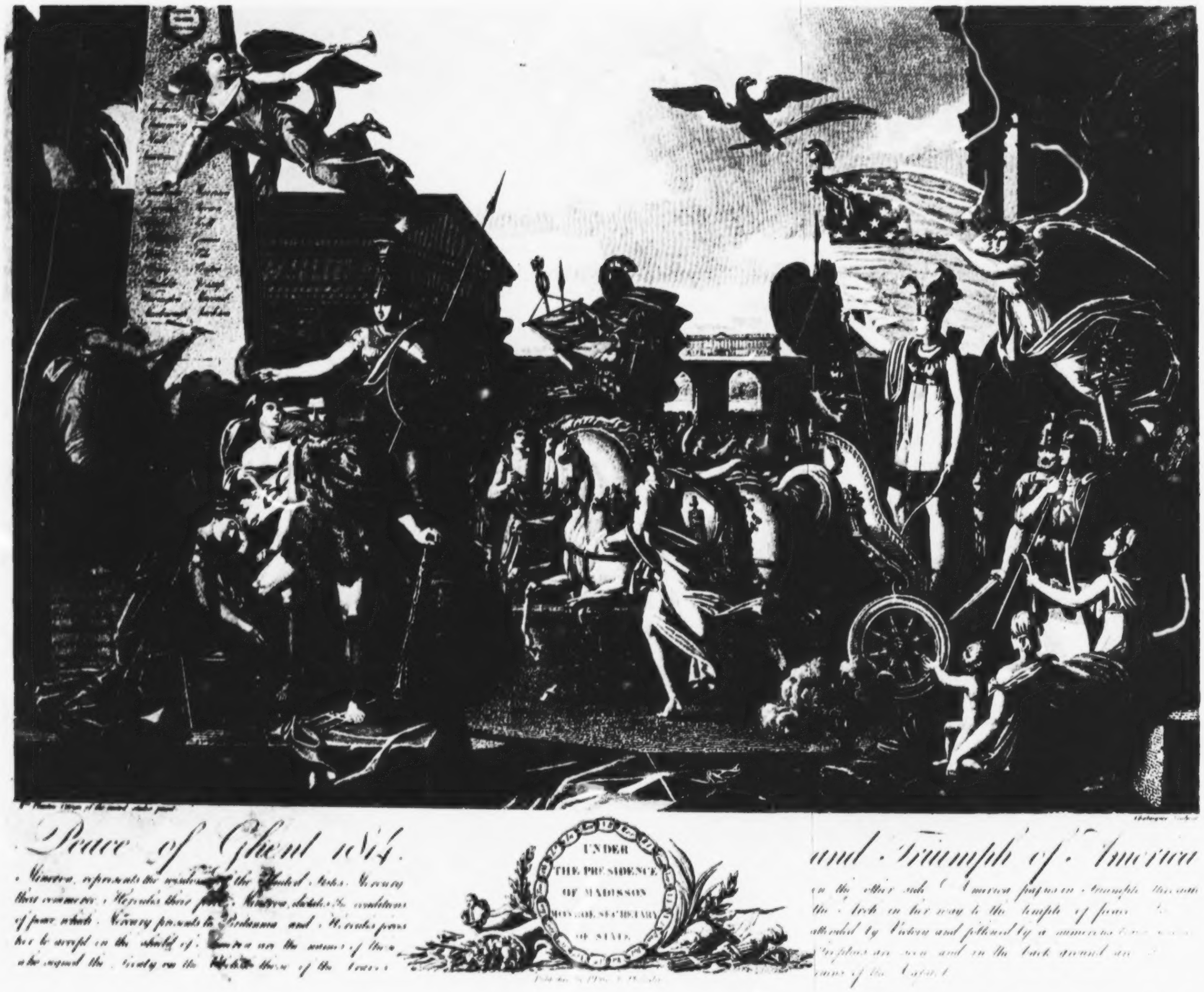
circle of acquaintances and point of view that placed Virginia in a broader context. He was a dedicated friend of civil and religious liberty.

The climax of the quarrel with Great Britain found young Madison at home, tutoring his younger siblings, reading law and general literature, unable to commit himself to a profession. Frail in youth, he had been further weakened by the overload at Princeton. Intimations of mortality, he wrote a friend, left him unwilling to discipline himself to a career. So, we might suspect, did other aspects of his personality. He was not inclined to be a planter or physician, perhaps not orthodox enough to choose the ministry. He may have had some sort of moral scruple that dissuaded him from practice of the law. Certainly, he was a sternly conscientious youth, distressed by what he saw as moral laxity in the surrounding counties and enraged by local persecutions of the Baptists. His interest plainly quickened when the subject was the state of public virtue or the contest with the motherland, and when the Continental Congress urged a general resistance to Great Britain's punishment of a rebellious Massachusetts, he plunged into the work that would preoccupy him from December 1774 until he retired as president in 1817. His forty-year career almost exactly spanned the course of the Revolution that he served.

Madison's first public post was as a member of the county committee of safety, which his father chaired. In Orange County and throughout the colonies, these local agencies enforced nonimportation, distinguished Whig from Tory by asking men to sign the Continental pledge, and gradually assumed the functions of local governments, especially the task of organizing for defense. Madison was an enthusiastic member of the Orange committee and a spirited young Whig, writing with approval of the tar and feathers given in a nearby county for insulting its committee and wishing that Virginians could lay hands on New York City's Tory printer. He became proficient with a rifle and drilled with the local minute company. In October 1775 he was appointed colonel of the Orange militia, but his fragile frame compelled him to abandon thoughts of active military duty. Instead, he was elected to represent the county in the provincial convention which wrote a new constitution for Virginia and instructed the congressional delegation to move for independence.

*Miniature of James Madison by Charles Willson Peale, 1783.*

Shy, weak-voiced, and conscious of his youth and inexperience, surrounded by Virginia's greatest men, Madison was silent on the floor of the convention. Yet he overcame his diffidence enough to offer an occasional amendment—one of them a small but crucial change of phrasing which broadened the definition of religious liberty in George Mason's Declaration of Rights. Influential delegates were impressed by Madison's intelligence, integrity, and quiet work. In 1777, in one of the most characteristic episodes of his career, he was defeated in the spring elections to the assembly. Condemning the usual practice as inconsistent with morality and republicanism, he had declined to offer voters their accustomed treats and liquor. That fall, the assembly appointed him to the council of state, which, with the governor, completed Virginia's executive. He served two years, first under Patrick Henry and then under Thomas Jefferson, with whom he formed a lifelong friendship. On


Peace of Ghent 1814.
UNDER THE PRESIDENCE OF MADISSON MONROE SECRETARY OF STATE
and Triumph of America

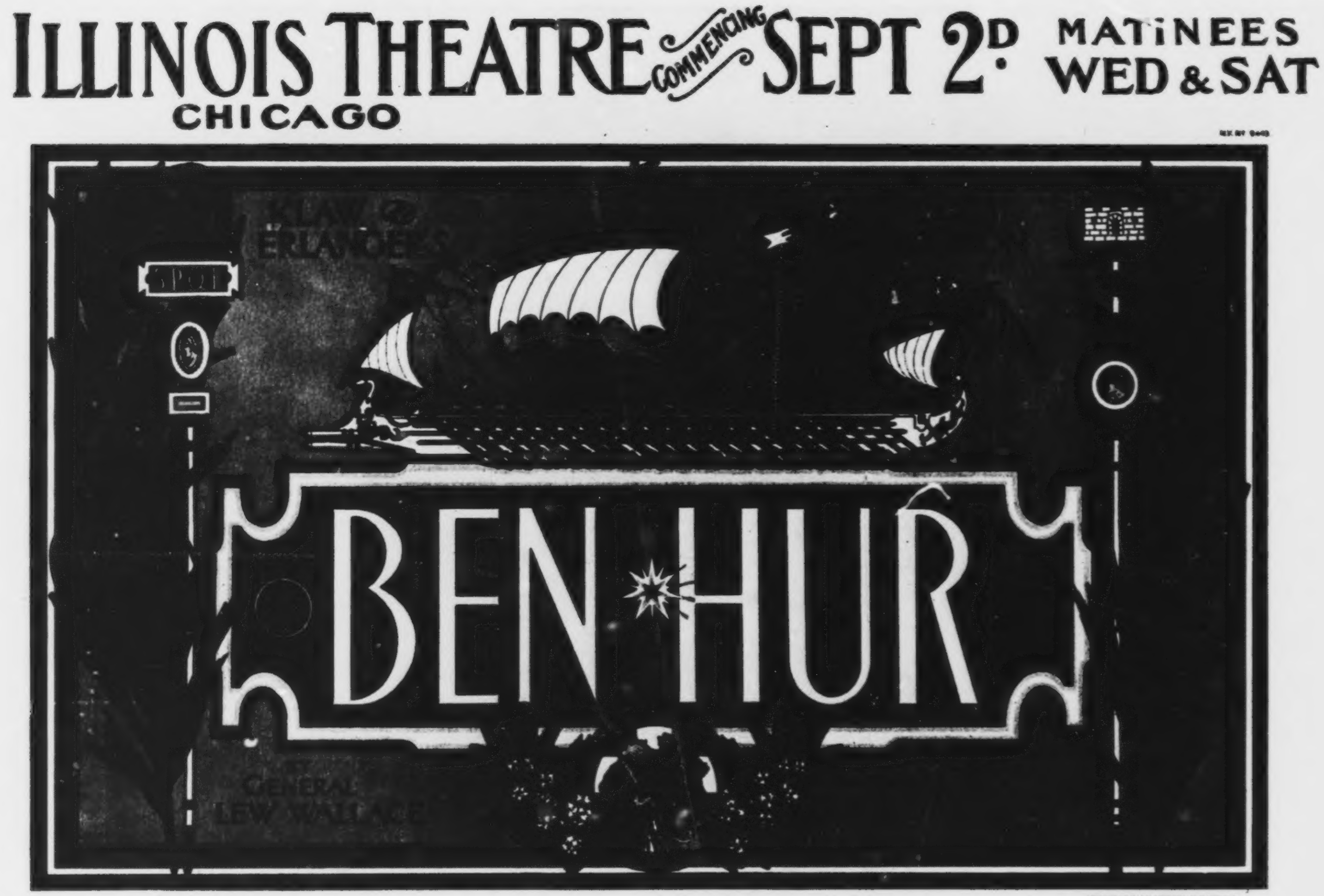
Peace of Ghent 1814, and Triumph of America: Under the Presidence of Madisson, Monroe Secretary of State. *The caption states that "Minerva, represents the wisdom of the United States; Mercury their commerce; Hercules their force. . . . and in the Background are the ruins of the Capitol." Engraved by Chataigner, published by P. Prince in Philadelphia. Prints and Photographs Division, Library of Congress.*

ployed his revitalized renown to recommend the lessons he had learned from the war and from the failure of Republican policy that had produced it. The president did not lose sight of his Republican ideals, but he was able, now, to feel that the American Revolution was secure. The acquisition of Louisiana seemed to promise an indefinite postponement of the time when overcrowding might endanger the social foundations of republican government. The Federalists had discredited themselves during the last months of the war, and fifteen years of the ascendency of good Republicans had severed the link between untrustworthy rulers and a few rich men which had put liberty in peril. Moreover, Hamilton had been right, at least in part. America had not been able to compel the European empires to accept an international order that would permit the new Republic to forego the self-sufficiency, professional armed forces, and English-style finance which once had seemed so seriously to threaten the reversal of its revolutionary accomplishments.

With Hamilton long dead, his party shattered, and new light cast on certain of his policies by the attempt to do without them, Madison suggested that a portion of the Hamiltonian program could be reconciled with Jeffersonian ends. The annual message of December 5, 1815, supported a larger peacetime army and recommended federal support for internal improvements, tariff protection for domestic manufactures, and creation of a new national bank. The second session of the Fourteenth Congress, which adopted all of Madison's proposals, marked the end of arguments arising from the effort to define the Revolution and offered an amalgam of Federalist and Republican ideas which would serve as the centerpiece for American political debates until the confrontation over slavery absorbed all else.

Madison retired a happy man and lived another twenty years at his Virginia home, revered as the last of the founders. He kept in touch with national affairs, offering advice from time to time but refusing to take sides between competing candidates for office. He was disturbed by slavery and increasingly concerned by the developing debate between the North and South, entering the newspapers again in his last years with an attempt to counter the doctrine of nullification and present a moderate opinion of the proper constitutional relationship between the states and the federal government. On balance, though, he was content with the country's progress under his successors. He died quietly, even amiably, as he had lived, at breakfast on June 27, 1836. His last advice to his country was to cherish the Union that he had done so much to shape.

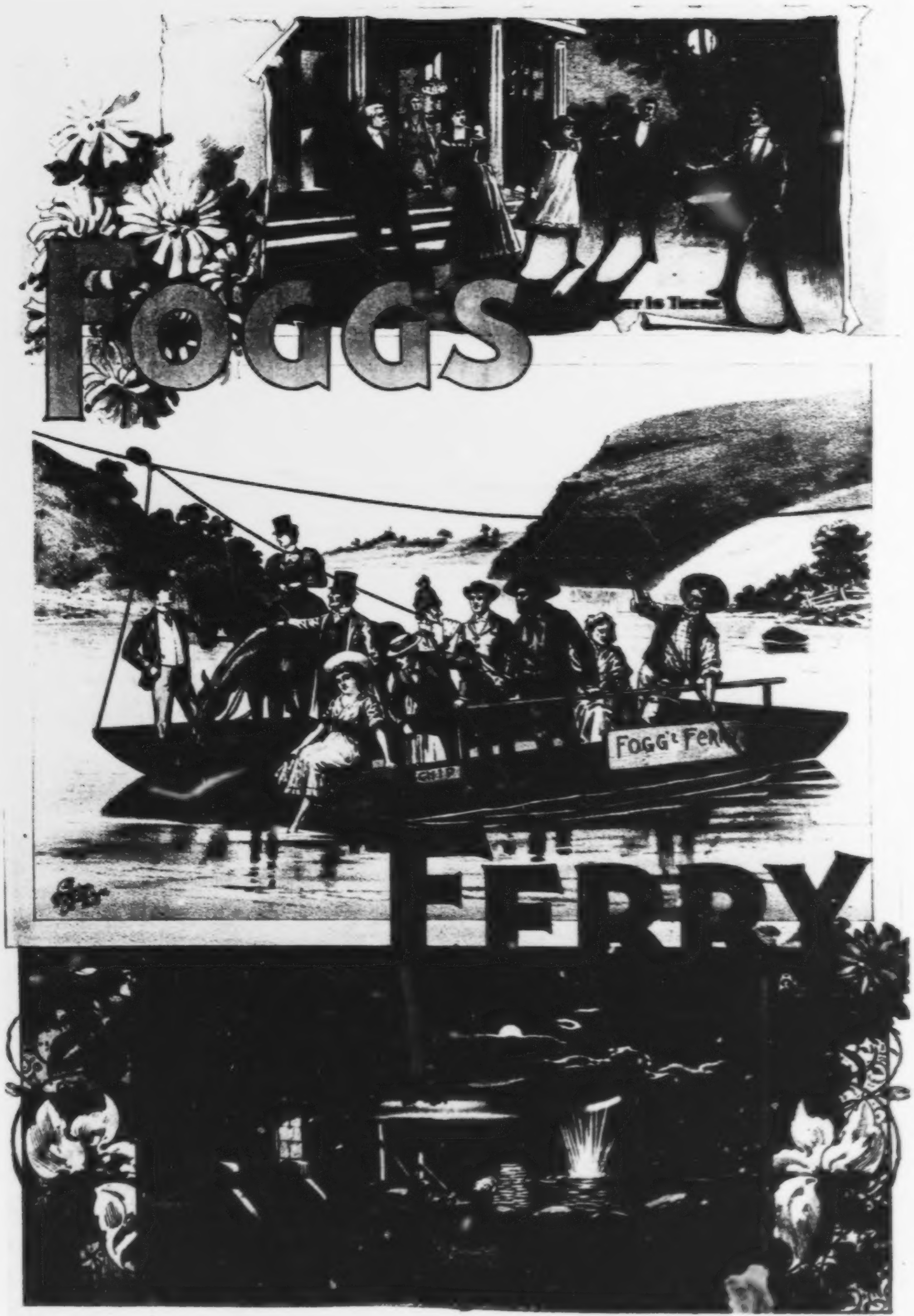
*Madison at age eighty-two. Engraving by T. B. Welch, from a drawing by James B. Longacre, Montpelier, July 1833. From the* National Portrait Gallery *(1836).*



**Ben Hur,** *1901 (Strobridge & Co. Litho.; lithograph). The theater booking syndicate was composed of Sam Nixon and Fred Zimmerman of Philadelphia and Al Hayman, Charles Frohman, Marc Klaw, and Abraham Erlanger of New York. These men owned most of the nation's theaters, controlled their productions, and blocked performances by artists who did not bend to their conditions. From 1895 to 1905, actors who opposed the dictates of the syndicate were forced to perform in drafty halls and tents.*

the American theater for nearly twenty years, much as trusts in the same period dominated the oil and steel industries. The syndicate owned most of the theaters throughout the country and entirely controlled all their productions. Actors who would not comply with the conditions set forth by the syndicate were blackballed. The stranglehold lasted until 1905, when it was finally destroyed by the Shubert brothers with the help of David Belasco and Minnie Maddern Fiske. Ironically, the Shubert brothers established their own autocracy and effectively controlled the stage until the 1950s, when their empire was in turn dismantled under the antitrust laws.

Minnie Maddern Fiske was a special breed of actress. Considered the link between nineteenth-century stagecraft and those ideals which dominate the contemporary stage, she championed modern dramatists such as Henrik Ibsen and encouraged plays which dealt with the dilemmas of the early twentieth century. She advocated a simple style of acting based on psychological truthfulness. She advised actors to "consider your voice, it is the beginning and the end of acting." Minnie Maddern Fiske's career extended from 1870 until 1931. She came from a theatrical family and was in steady demand as a child actress. In 1882 she made her adult debut in a comic-melodrama called *Fogg's Ferry.* Her New York reviews for that show stressed the simple nature of her manner and her personal magnetism. As a mature actress Fiske con-



**Fogg's Ferry,** *1882 (Enquirer Job Printing Company; lithograph). The career of Minnie Maddern Fiske marks a clean break with the traditions of the nineteenth century and the emergence of those ideals which dominate the stage of our own time. She made her adult debut in 1882 in a comic-melodrama called* Fogg's Ferry.

# Some Recent Publications of the Library of Congress

*Graphic Sampler.* 1979. 368 p. (S/N 030-000-00092-7) $11. Compiled by Renata V. Shaw of the Library's Prints and Photographs Division. This book presents over three hundred images from the vast and diverse collections of the Library's Prints and Photographs Division. The first section of essays deals with pictures created between the end of the fifteenth century and 1800 in continental Europe, England, and the United States. This section also includes a series of popular prints which were collector's items in their day and architectural plans ranging from royal structures to U.S. domestic buildings. Prints and drawings of the nineteenth century are investigated in the second section of essays. The first article is devoted to forty-nine Rembrandt restrikes. The third section describes prints, drawings, cartoons, posters, and architectural designs from the turn of the century to the 1960s.

*Letters of Delegates to Congress, 1774–1789.* Volume 5, *August 16–December 31, 1776.* 1979. 766 p. (S/N 030-000-00111-7). Edited by Paul H. Smith with the assistance of Gerard W. Gawalt, Rosemary Fry Plakas, and Eugene R. Sheridan of the Manuscript Division. Primary source documents reveal what was happening in the colonies in the months just after they declared their independence from Great Britain. Notes of congressional debates, official and personal correspondence, diary entries, and other manuscripts are brought together here from many different repositories for the use of students, scholars, and all others interested in the revolutionary era. Annotations, bibliographic references, illustrations, and an extensive subject index complete the volume.

*The Library of Congress Processing Services: Organization and Functions.* 1979. 42 p. Free from the Central Services Division. A brief outline of the history, organization, and functions of the largest department of the Library of Congress. Numerous charts offer a graphic depiction of the organization of the various divisions within the department.

*Nomenclature and Hierarchy: Basic Latin American Legal Sources.* 1979. 123 p. (S/N 030-013-00008-5) $6.50. By Rubens Medina, chief of the Hispanic Law Division of the Library of Congress, and Cecilia Medina-Quiroga, a lawyer and legal scholar from Chile. This guide was prepared as a research aid for those studying the legal processes in Latin America and of Brazil and Haiti. The jurisdictions are presented in alphabetical order, and the hierarchical scheme of each legal system is indicated by the sequential order observed, beginning with the highest ranking instrument—the constitution. The authors have also devised a chart for each jurisdiction which appears before each country's chapter and which shows the ranking of legislative and executive issuances.

*Posada's Mexico.* 1979. 215 p. (S/N 030-014-00004-9) $16. Edited by Ron Tyler, acting director of the Amon Carter Museum. A catalog to accompany an exhibition of broadsides, penny sheets, and pamphlets illustrated by the Mexican printmaker José Guadalupe Posada (1852–1913), which document the beginnings of the Revolution of 1910 and the closing of the preceding century. Among the more than four hundred illustrations are many of Posada's prints, works by his contemporaries and successors, examples from the illustrated press in Mexico as it developed, and photographs of Mexico as it was in Posada's day. Essays by Ron Tyler, Jean Charlot, Jas Reuter, Joyce Bailey, and Jacques Lafaye provide a historical and artistic context and invite further exploration of Mexican history and graphic traditions and of Posada's works. A bibliography and an index to the volume are included.

*Reading in America 1978.* 1979. 98 p. $4.95. Available from the Information Office, Library of Congress, Washington, D.C. 20540. Edited by John Y. Cole, executive director of the Center for the Book, and Carol S. Gold, manager, marketing research, John Wiley & Sons. A summary of the most important findings of the Consumer Research Study on Reading and Book Purchasing, conducted by Yankelovich, Skelly and White, Inc., for the Book Industry Study Group, Inc. This inquiry into the reading and the book-buying habits and motivations of the American public covers the United States population age sixteen and over from both a descriptive and a diagnostic viewpoint. Along with the findings are highlights from discussions held at the Library of Congress on October 25 and 26, 1978, and excerpts from letters on the study written to the Center for the Book following the discussions.

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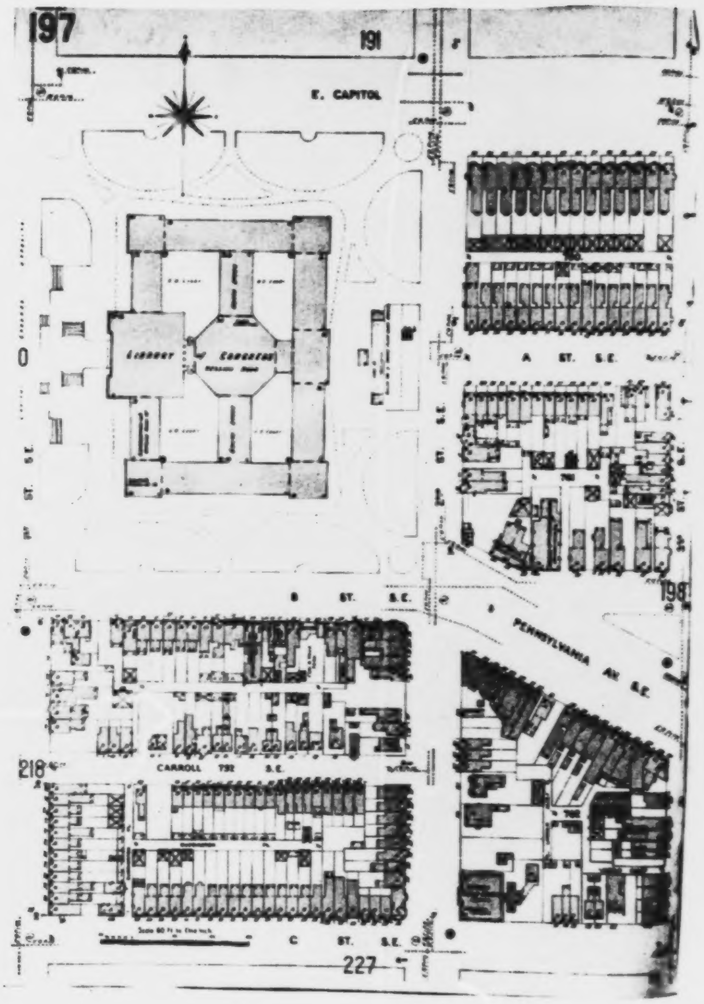
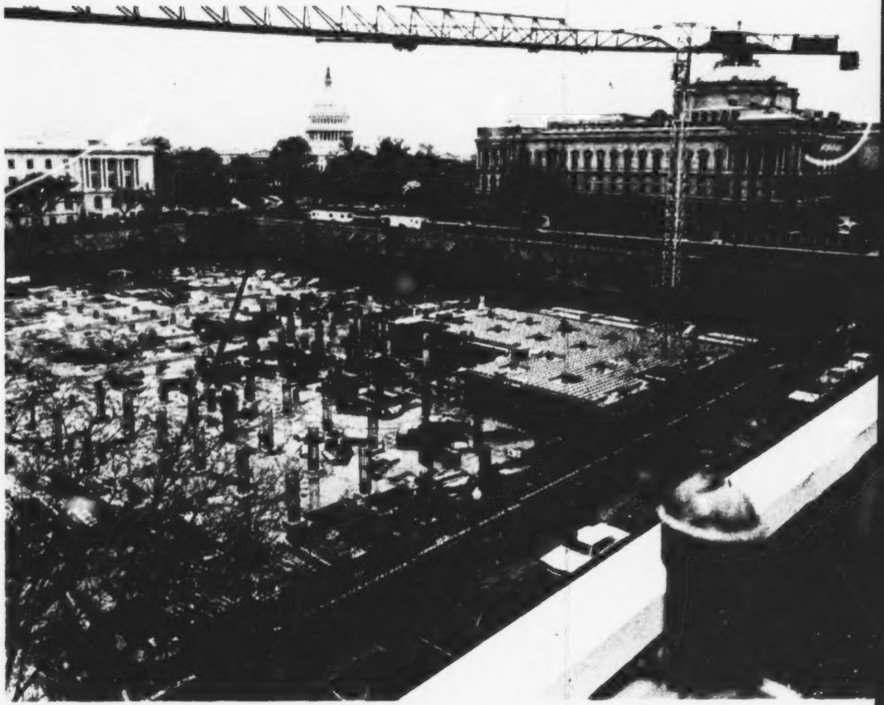
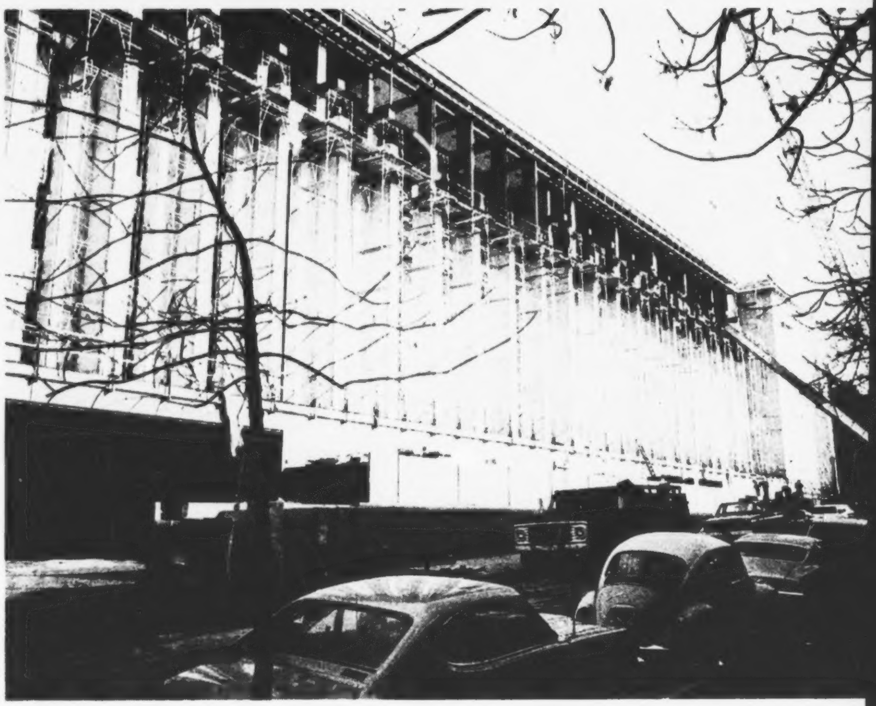


tion and some vivid regard." Professor Koch herself is now remembered here with vivid regard. Another contributing scholar whose connection to this journal goes beyond the words printed in it and who is currently immersed in Madison's papers is Robert A. Rutland, editor of the *Papers of James Madison*. His suggestions and support for an issue of the journal devoted to James Madison are deeply appreciated.

Standing beside the Library of Congress Building, a striking example of architecture in the Italian Renaissance style which opened in





*The map showing the Library of Congress Building and adjacent structures before construction of the Jefferson Building and the Madison Memorial Building is from the Sanborn Fire Insurance Map Collection, Geography and Map Division, Library of Congress. Illustrations of Square 732 and the construction of the James Madison Memorial Building are from January 1962, December 1971, March 1973, and December 1974 (courtesy of the Architect of the Capitol). In the Wilson Room, Library of Congress Building, are, from left to right, Alfred Easton Poor, the new building's architect, Librarian of Congress L. Quincy Mumford, and Sen. B. Everett Jordan and Rep. Omar Burleson, chairman and vice-chairman of the Joint Committee on the Library, August 25, 1967.*

1897, and the Thomas Jefferson Building, completed in 1939 and characterized by an Art Deco motif, the new building suggests a new scale. The Madison Memorial Building speaks of information explosions and of vastness and universality, attributes of the Library that Librarian of Congress Daniel J. Boorstin regards as both its problem and its opportunity. The story has just begun: the Librarian of Congress has compared the building's surfaces to a tabula rasa, and what future generations will see written there we cannot predict. ES

December 14, 1779, he was chosen a delegate to Congress.

The years in the revolutionary Congress were decisive for the shaping of Madison's subsequent career. When he arrived in Philadelphia, he was the youngest member of Congress, barely twenty-nine. Slight of build, with youthful features, and only five feet six, he might have passed for ten years younger. He was unknown outside Virginia and still so hesitant in public that he waited half a year to make a speech. Although his friends found him unfailingly good-humored, warm, and even-tempered, he usually struck first acquaintances as stern and cold. Reserve and modesty could easily be taken for timidity and lack of social grace for an aloof unpleasantness. And yet, within a year of his arrival, Madison was mentioned as a candidate for secretary of foreign affairs. Characteristically, he had spent the months before he took his seat studying the continent's affairs. Before his four-year term was over, he was widely thought of as the best-informed and wisest man in Congress, a nationally respected leader of the coterie of Continental-minded men who were disturbed by the debilitated state of the Confederation and determined on reform.

The early months of 1780 were some of the most gloomy of the war. While Madison adjusted to his new responsibilities, Washington was camped at Morristown, his Continentals suffering privations worse than those at Valley Forge. Stalemated in the north, although they firmly held New York, the British were beseiging Charleston, where General Lincoln's surrender on May 12 would be the worst American catastrophe of the war. Maryland had not yet ratified the Articles of Confederation, inadequate though that instrument might be. On March 18, the day that Madison arrived in Philadelphia, Congress devalued the depreciated Continental currency forty to one, stopped its presses, and threw financial responsibility on the hapless states. James Madison was little given to hysteria, but he would never forget the twinge of desperation that he felt as he surveyed conditions at this dreadful time.

In Congress, Madison was instrumental in the management of Virginia's cession of its western lands, which persuaded Maryland to ratify the Articles of Confederation. He was a staunch supporter of the French alliance and the western claims of the United States. He favored the creation of executive departments and generally allied himself with Robert Morris, Alexander Hamilton, and other delegates who pressed for changes that would give the Congress powers adequate to meet its responsibilities.

Of all the many problems that confronted the Confederation, finance was still most urgent.

*Alexander Hamilton, 1782. Mural painting by Constantino Brumidi, in the U. S. Capitol. Photograph courtesy of the Architect of the Capitol.*

*The U.S. Constitution was printed in the* Pennsylvania Packet, and Daily Advertiser *on September 19, 1787. Madison, meeting with other delegates to the Constitutional Convention, played a significant role in framing the articles that would define the new government.*

The Pennſylvania Packet, *and Daily Advertiſer.*

[Price Four-Pence.] WEDNESDAY, September 19, 1787. [No. 2690.]

WE, the People of the United States, in order to form a more perfect Union, eſtabliſh Juſtice, inſure domeſtic Tranquility, provide for the common Defence, promote the General Welfare, and ſecure the Bleſſings of Liberty to Ourſelves and our Poſterity, do ordain and eſtabliſh this Conſtitution for the United States of America.

## ARTICLE I.

*Sect.* 1. ALL legiſlative powers herein granted ſhall be veſted in a Congreſs of the United States, which ſhall conſiſt of a Senate and Houſe of Repreſentatives.

*Sect.* 2. The Houſe of Repreſentatives ſhall be compoſed of members choſen every ſecond year by the people of the ſeveral ſtates, and the electors in each ſtate ſhall have the qualifications requiſite for electors of the moſt numerous branch of the ſtate legiſlature.

No perſon ſhall be a repreſentative who ſhall not have attained to the age of twenty-five years, and been ſeven years a citizen of the United States, and who ſhall not, when elected, be an inhabitant of that ſtate in which he ſhall be choſen.

Repreſentatives and direct taxes ſhall be apportioned among the ſeveral ſtates which may be included within this Union, according to their reſpective numbers, which ſhall be determined by adding to the whole number of free perſons, including thoſe bound to ſervice for a term of years, and excluding Indians not taxed, three-fifths of all other perſons. The actual enumeration ſhall be made within three years after the firſt meeting of the Congreſs of the United States, and within every ſubſequent term of ten years, in ſuch manner as they ſhall by law direct. The number of repreſentatives ſhall not exceed one for every thirty thouſand, but each ſtate ſhall have at leaſt one repreſentative; and until ſuch enumeration ſhall be made, the ſtate of New-Hampſhire ſhall be entitled to chuſe three, Maſſachuſetts eight, Rhode-Iſland and Providence Plantations one, Connecticut five, New-York ſix, New-Jerſey four, Pennſylvania eight, Delaware one, Maryland ſix, Virginia ten, North-Carolina five, South-Carolina five, and Georgia three.

When vacancies happen in the repreſentation from any ſtate, the Executive authority thereof ſhall iſſue writs of election to fill ſuch vacancies.

The Houſe of Repreſentatives ſhall chuſe their Speaker and other officers; and ſhall have the ſole power of impeachment.

*Sect.* 3. The Senate of the United States ſhall be compoſed of two ſenators from each ſtate, choſen by the legiſlature thereof, for ſix years; and each ſenator ſhall have one vote.

Immediately after they ſhall be aſſembled in conſequence of the firſt election, they ſhall be divided as equally as may be into three claſſes. The ſeats of the ſenators of the firſt claſs ſhall be vacated at the expiration of the ſecond year, of the ſecond claſs at the expiration of the fourth year, and of the third claſs at the expiration of the ſixth year, ſo that one-third may be choſen every ſecond year; and if vacancies happen by reſignation, or otherwiſe, during the receſs of the Legiſlature of any ſtate, the Executive thereof may make temporary appointments until the next meeting of the Legiſlature, which ſhall then fill ſuch vacancies.

No perſon ſhall be a ſenator who ſhall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who ſhall not, when elected, be an inhabitant of that ſtate for which he ſhall be choſen.

The Vice-Preſident of the United States ſhall be Preſident of the ſenate, but ſhall have no vote, unleſs they be equally divided.

The Senate ſhall chuſe their other officers, and alſo a Preſident pro tempore, in the abſence of the Vice-Preſident, or when he ſhall exerciſe the office of Preſident of the United States.

The Senate ſhall have the ſole power to try all impeachments. When ſitting for that purpoſe, they ſhall be on oath or affirmation. When the Preſident of the United States is tried, the Chief Juſtice ſhall preſide: And no perſon ſhall be convicted without the concurrence of two-thirds of the members preſent.

Judgment in caſes of impeachment ſhall not extend further than to removal from office, and diſqualification to hold and enjoy any office of honor, truſt or profit under the United States; but the party convicted ſhall nevertheleſs be liable and ſubject to indictment, trial, judgment and puniſhment, according to law.

*Sect.* 4. The times, places and manner of holding elections for ſenators and repreſentatives, ſhall be preſcribed in each ſtate by the legiſlature thereof; but the Congreſs may at any time by law make or alter ſuch regulations, except as to the places of chuſing Senators.

The Congreſs ſhall aſſemble at leaſt once in every year, and ſuch meeting ſhall be on the firſt Monday in December, unleſs they ſhall by law appoint a different day.

*Sect.* 5. Each houſe ſhall be the judge of the elections, returns and qualifications of its own members, and a majority of each ſhall conſtitute a quorum to do buſineſs; but a ſmaller number may adjourn from day to day, and may be authoriſed to compel the attendance of abſent members, in ſuch manner, and under ſuch penalties as each houſe may provide.

Each houſe may determine the rules of its proceedings, puniſh its members for diſorderly behaviour, and, with the concurrence of two-thirds, expel a member.

Each houſe ſhall keep a journal of its proceedings, and from time to time publiſh the ſame, excepting ſuch parts as may in their judgment require ſecrecy; and the yeas and nays of the members of either houſe on any queſtion ſhall, at the deſire of one-fifth of thoſe preſent, be entered on the journal.

Neither houſe, during the ſeſſion of Congreſs, ſhall, without the conſent of the other, adjourn for more than three days, nor to any other place than that in which the two houſes ſhall be ſitting.

*Sect.* 6. The ſenators and repreſentatives ſhall receive a compenſation for their ſervices, to be aſcertained by law, and paid out of the treaſury of the United States. They ſhall in all caſes, except treaſon, felony and breach of the peace, be privileged from arreſt during their attendance at the ſeſſion of their reſpective houſes, and in going to and returning from the ſame; and for any ſpeech or debate in either houſe, they ſhall not be queſtioned in any other place.

No ſenator or repreſentative ſhall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which ſhall have been created, or the emoluments whereof ſhall have been encreaſed during ſuch time; and no perſon holding any office under the United States, ſhall be a member of either houſe during his continuance in office.

*Sect.* 7. All bills for raiſing revenue ſhall originate in the houſe of repreſentatives; but the ſenate may propoſe or concur with amendments as on other bills.

Every bill which ſhall have paſſed the houſe of repreſentatives and the ſenate, ſhall, before it become a law, be preſented to the preſident of the United States; if he approve he ſhall ſign it, but if not he ſhall return it, with his objections to that houſe in which it ſhall have originated, who ſhall enter the objections at large on their journal, and proceed to reconſider it. If after ſuch reconſideration two-thirds of that houſe ſhall agree to paſs the bill, it ſhall be ſent, together with the objections, to the other houſe, by which it ſhall likewiſe be reconſidered, and if approved by two-thirds of that houſe, it ſhall become a law. But in all ſuch caſes the votes of both houſes ſhall

# Madison's Bookish Habits

### by Robert A. Rutland

James Madison was a user, not a collector, of books. The distinction needs to be made, for Madison never purchased a book for its binding or its attractive printing. Madison wanted books for the knowledge they could furnish him in the great searches of his life: for a career, for a workable form of republican government, and for a means of keeping the American union intact. He was bookish without being pedantic, clever without being prissy about it. The books Madison used gave him knowledge which he converted into power. His patience was a character trait formed by no book. The combination of knowledge and patience, however, carried him into the company of Washington and Jefferson, and thus determined his future role as a legislator, presidential adviser, cabinet member, and finally president.

Luckily, the acquisition of books never became a passion for Madison. He read some novels, of course, and perhaps a little (very little) poetry, but for the most part Madison's reading had a utilitarian quality. From his books he learned many things, and whether he was dissecting a weasel or the anatomy of an ancient republic, he never strayed far from his library. There Madison found interests which were maintained until his eyesight failed. No occupant of the White House, not even his distinguished friend and immediate predecessor, relied so heavily on books to sustain him in his quest for knowledge. Jefferson certainly owned more books than he did, but there was probably no more avid lover of books in the Virginia Piedmont than Madison himself. Certainly no Virginian has ever put his books to better use.

A man's library, of course, was one indication of his standing in Virginia society well before Madison's day. Land, slaves, silverplate, and books were the most important entries in a plantation owner's inventory—but on most estates the books came in a poor fourth. Not so at John Mercer's Marlborough or William Byrd's Westover, where these gentry had private libraries that were the talk of their time. Mercer's library was dispersed to the winds, but when Byrd's paper treasures came to the market it was a

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Robert A. Rutland is editor of *The Papers of James Madison*. Formerly coordinator of Bicentennial programs at the Library of Congress, 1969-71, he served on the faculty at the University of California at Los Angeles from 1954 to 1969 and was a Fulbright lecturer in Austria at Innsbruck University, 1960-61. His books include *The Ordeal of the Constitution: The Antifederalists and the Ratification Struggle of 1787-1788* (1966), *The Newsmongers: Journalism in the Life of the Nation, 1690-1972* (1973), *Madison's Alternatives: The Jeffersonian Republicans and the Coming of War, 1805-1812* (1975), and *The Democrats, from Jefferson to Carter* (1979).

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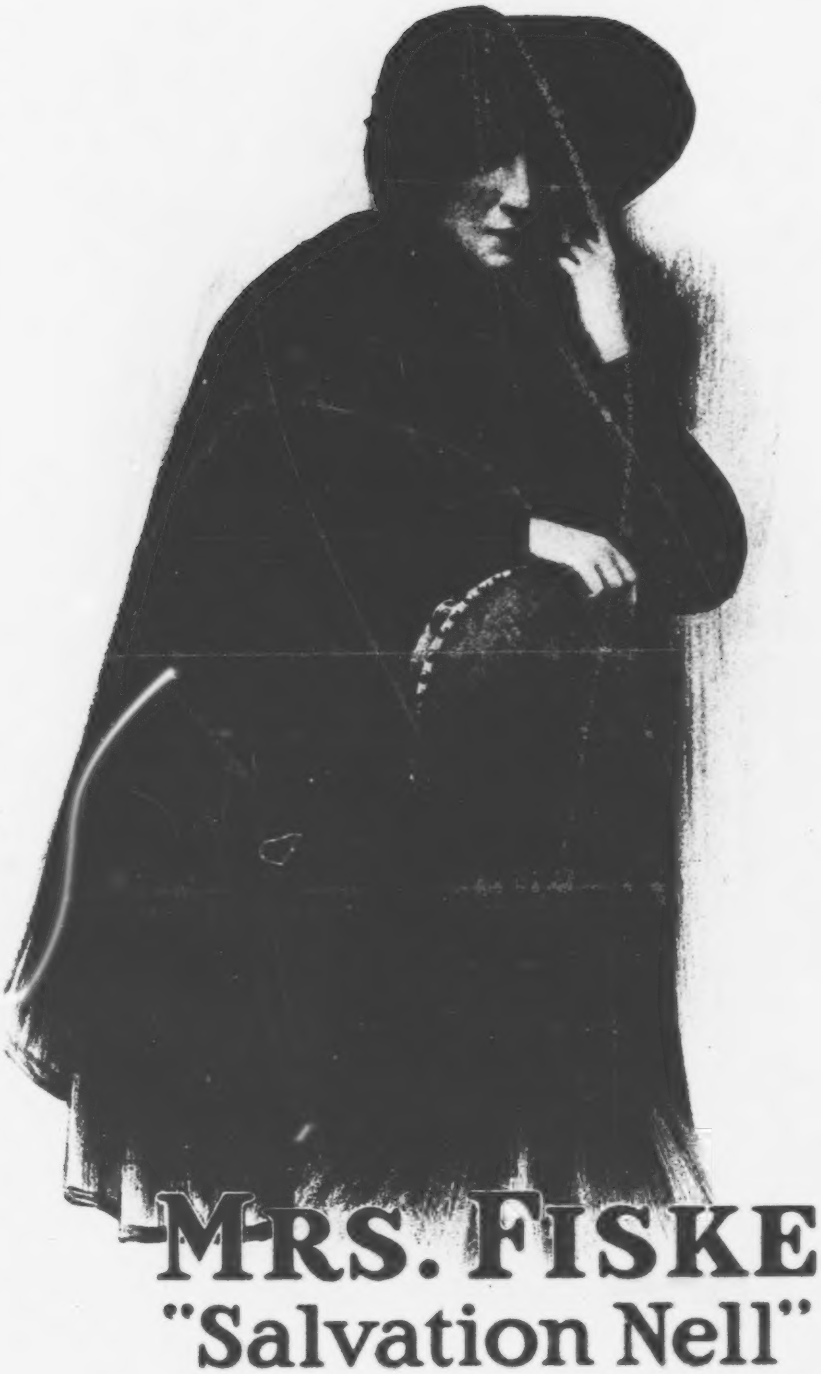
In Madison's day, an English gentleman's library served as an informal living room and might have contained thousands of books. We do not know what Madison's library looked like, but he may have aspired to one such as this. From Humphry Repton, Fragments on the Theory and Practice of Landscape Gardening (London: Printed by T. Bensley and son, for J. Taylor, 1816). Rare Book and Special Collections Division, Library of Congress.

temptation too strong for the frugal young planter from Orange County. Madison paid a high price for a few precious volumes from Byrd's estate sale. Rarely were Madison's purchases mere whims, and his books were not to be patted with pride but used with fervor. His grandfather Ambrose Madison had owned only twenty-eight, and James Madison, Sr., left his son a mere eighty-five volumes, most of them on religious or medical subjects. There was a puritan streak in Madison's makeup that would allow him no idle hours at Montpelier. Isolated there, he required the intellectual nourishment provided by books as much as he needed food or drink. Whatever his dietary requirements were, Madison's appetite for books was almost insatiable. Besides, books were the tools of public men—and Madison was determined to be a public man.

Unlike Jefferson, whose voracious appetite for books sometimes left the acquisitive Virginian short of cash, Madison usually kept his book-collecting habits within the bounds of his purse. If he eventually had shelves for several thousand volumes at Montpelier, nobody bothered to record the fact. Nor is there a list of Madison's books similar to the catalog of Jefferson's great library (sold to recreate the burned Library of Congress) or the second Monticello library (sold as part of Jefferson's estate), which was neatly cataloged in 1829. Jefferson's book buying went on at a reckless pace for forty years. In contrast to Jefferson on this one score—for they agreed on most matters—Madison was a discriminating buyer of books. He knew what he

**Salvation Nell,** *1909 (Strobridge & Co. Litho.; lithograph). Minnie Maddern Fiske as Nell, her crowning achievement in natural acting, particularly the scene in which she sat for ten minutes on the floor, her drunken lover's head in her lap, with no words to utter. She kept the audience "absorbed in the silent pathos of that dumb, sitting figure." Here was "an intensity that is absolutely true to life, as true to life as is possible on the stage."*



tinued to be praised for those attributes as well as for her careful and studious approach to each role. In a conversation with Alexander Woollcott, she declared: "Anyone may achieve on some rare occasion an outburst of genuine feeling, a gesture of imperishable beauty, a ringing accent of truth; but your scientific actor knows how he did it. He can repeat it again and again and again. He can be depended on." Her own performance in *Salvation Nell* (1909), a play by Edward Sheldon, is often cited as a particularly fine example of her attention to detail.

In a *New York Journal* editorial in March of 1900, William Randolph Hearst called *Sapho* an insult to decent women and girls. Adapted by Clyde Fitch from the novel by Alphonse Daudet, *Sapho,* starring Olga Nethersole, became a cause célèbre when it was closed down by the New York police on March 5, 1900. The play concerns a courtesan who lured and then discarded men until she fell in love with Jean. Three episodes stunned the audience. The first was a scene in which Fanny begged Jean to seduce her, offering to shine his shoes if he would let her stay with him. The second was a masked ball that critics referred to as an orgy. The most objectionable sequence, however, was a passionate love scene followed by Jean's carrying Fanny up a flight of steps to her bedroom. The curtain was lowered, denoting the passage of several hours, and when the curtain was raised the stage lighting indicated that the time was dawn. Jean came out of the bedroom, ran down the steps, and exited.

Olga Nethersole, the star, was charged with corrupting public morals, and her attorney asked for a trial by jury, which was scheduled to begin in April. Before the case reached the courts, leading suffragists, along with prominent writers, circulated a petition protesting the arrest which they sent to the mayor of New York. On April 6, the jury acquitted Nethersole of all charges, and the following day *Sapho* was reopened.

Although the unbridled passion and complete surrender to emotion which characterized Nethersole's performances was evident in *Sapho,* it would be a mistake to classify her as part of the School of Emotionalism, one of whose more notable exponents was Leslie Carter. The school was known for an overt display of passion along

"SAPHO"
OLGA NETHERSOLE.
DIRECTION OF MARCUS R. MAYER.

**Sapho,** *1900 (Courier Litho. Company; lithograph). The first play of the twentieth century to be closed by the New York police was* Sapho, *adapted by Clyde Fitch from the novel by Alphonse Daudet and produced in February 1900 starring Olga Nethersole. The critics almost unanimously denounced the play. In his* New York Journal *editorial, William Randolph Hearst, calling* Sapho *an insult to decent women and girls, wrote, "We expect the police to forbid on the stage what they would forbid in streets and low resorts."*

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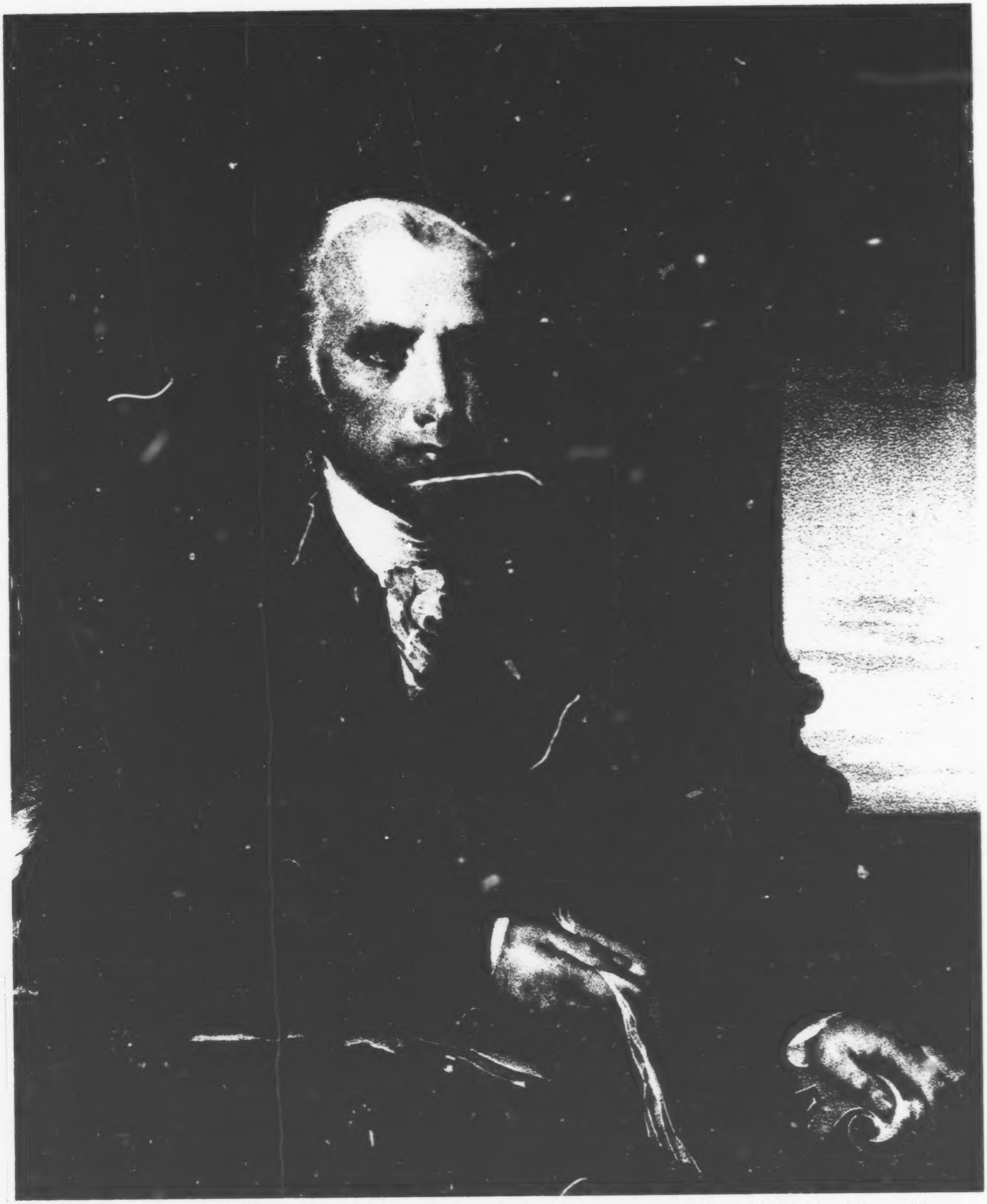


*James Madison. A portrait by William S. Pendleton from a painting by Gilbert Stuart. Prints and Photographs Division, Library of Congress.*

# James Madison and the Library of Congress

by Adrienne Koch

*The American people owe it to themselves, and to the cause of free Government, to prove by their establishments for the advancement and diffusion of Knowledge, that their political Institutions, which are attracting observation from every quarter . . . are as favorable to the intellectual and moral improvement of Man as they are conformable to his individual & social Rights. What spectacle can be more edifying or more seasonable, than that of Liberty & Learning, each leaning on the other for their mutual & surest support?*

—James Madison to W. T. Barry
August 4, 1822

*Knowledge is the only elixir of immortality . . . to a free government.*

—James Madison to S. L. Southard
May 4, 1828

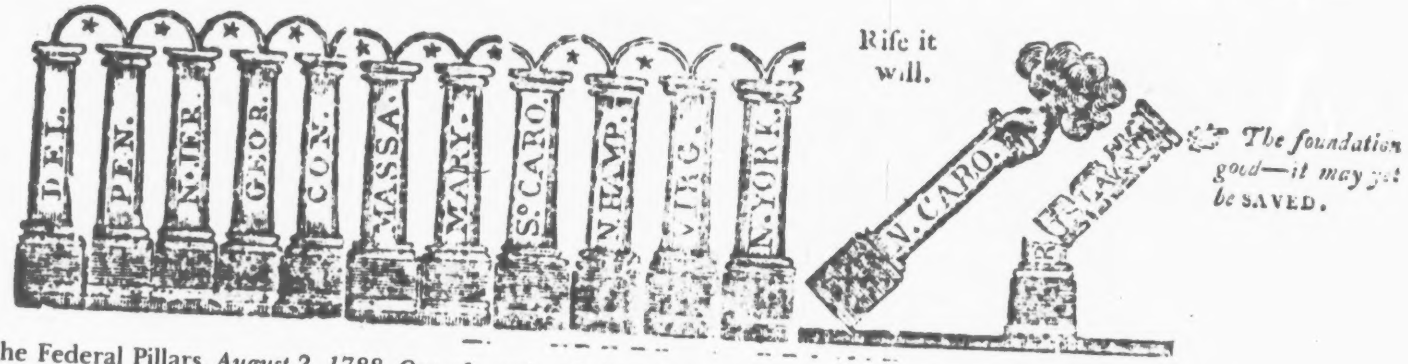
The Library of Congress owes a special debt to James Madison. This remarkable man, who is generally regarded as "the father of the Constitution," was without doubt and without significant aid from others the first sponsor of the idea of a library for Congress. In 1783, he drew up the first book list to serve as the nucleus of a working library for American legislators in the critical year of the Congress under the Articles of Confederation. Directly after the burning of the Capitol in the course of the War of 1812, Madison, who was then president of the United States, busied himself with the details of securing ex-President Thomas Jefferson's private library—perhaps the finest private library in the country at that time—and worked closely with George Watterston, the first Librarian of Congress who was not also made to serve as the clerk of the House of Representatives.

Moreover, Madison, like Jefferson, Franklin, and Adams, was essentially a man of books from early youth to the closing days of his life. At

Dependent for its funds on requisitions to the states, Congress scrabbled yearly just to meet its ordinary operating costs and interest payments on the mounting foreign debt. Failing to secure congressional approval of an amendment to the Articles of Confederation that would have permitted the use of force against those states which failed to meet their quotas, Madison ended his congressional career by helping to lead the fight for financial independence for the general government, drafting an appeal to the states to ratify an amendment granting Congress power to levy a tax on imports. He was increasingly persuaded that a feeble union posed a threat to all the Revolution had secured.

Back home, accordingly, he soon consented to reelection to the state assembly, where he urged Virginia to accept the impost and to meet its other obligations to the union. A highly influential legislator now, he had his way more times than not. But peace had brought a postwar slump, and everywhere depression led to mounting pressure for relief in the forms of paper money and moratoriums on the collection of taxes and private debts. To Madison, such measures seemed dishonest, as well as ill-advised. The readiness of fickle legislatures to succumb to popular desires—even those which threatened private rights or stained the public's honor—suggested that the great experiment in liberty and public virtue was veering badly off its proper course. Virginia, it was true, resisted the worst vices of the depression years, but Madison believed that the escape was narrow. And the continued inability of the Confederation government to pay its debts, enforce its treaties, or provide improved conditions for a stagnant commerce completed his distress. The Union and the states had reached a point of crisis which demanded thoroughgoing reconsideration of the governmental structures created in the Revolution. Otherwise, he feared, the people might abandon a republican experiment that could not provide prosperity, respectability, security for property, or even public order.

To consider the commercial problems of the country, delegates from five states assembled at Annapolis in September 1786. Madison was there, one of a majority who shared his sense of crisis and agreed to recommend a general convention to revise the Articles of Confederation. When the gathering adjourned, he hurried home and mustered all the vigor of his middle thirties, all his store of wisdom and experience, for the most concentrated effort of his long career. He moved Virginia's compliance with the call to a convention, secured a place as delegate, and then accepted reappointment to the Confederation Congress, where he was determined to defeat a Spanish treaty which threatened to close the Mississippi River and alienate the West from any federal reform. Successful in New York, he still found time to study the histories of various confederations, analyze the weaknesses of the existing union, and prepare a program of reform. He arrived in Philadelphia in early May, the best-prepared of any member of the great convention. By the time the meeting had a quorum, his proposals had become the basis for the Virginia Plan.


DEL.
PEN.
N.JER.
GEOR.
CON.
MASSA.
MARY.
S°.CARO.
N.HAMP.
VIRG.
N.YORK.
Riſe it will.
N.CARO.
The foundation good—it may yet be SAVED.

The Federal Pillars, *August 2, 1788. One of a series of allegories appearing in the* Massachusetts Centinel. *The states appear here as supporting columns for a new government as they ratified the Constitution. Virginia—thanks largely to Madison's efforts of persuasion in the Virginia convention—and New York had just done so, becoming the final two supports of the "national dome." Prints and Photographs Division, Library of Congress.*

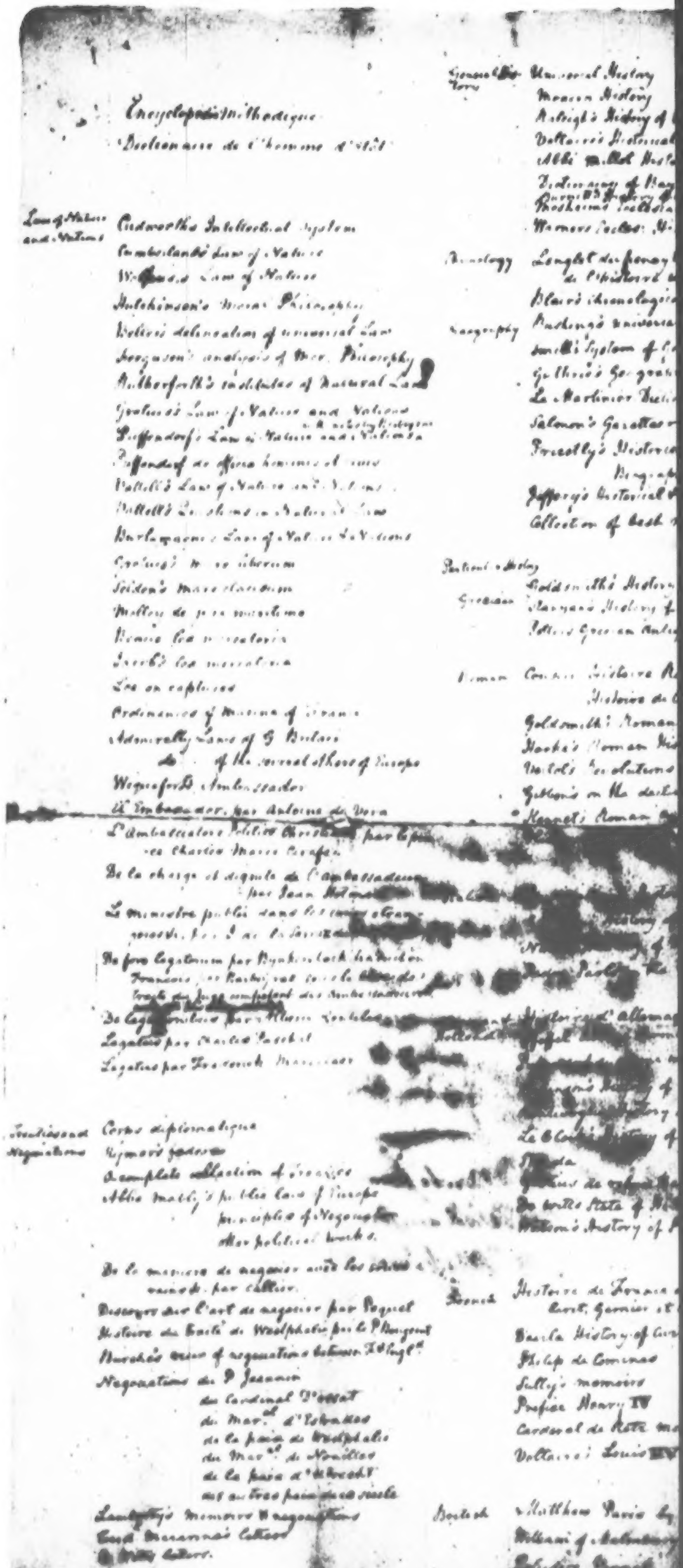
Hailed in later life as "father of the Constitution," Madison responded, with his usual modesty, that the Constitution had not sprung full-blown from any single head. In fact, the finished document was very different from what he would have written by himself. On the other hand, the other members of the Constitutional Convention generally referred to Madison as their most important man. And the Virginia Plan, fifteen resolutions introduced by Edmund Randolph at the beginning of deliberations, established fundamental guidelines for the summer's long debate. The resolutions did not aim at a revision of the Articles of Confederation but at their replacement by a republican government of national extent, a government that would rest directly on the people rather than on the states. This government, moreover, would be structured so as to avoid the defects to which Madison and others attributed the illiberal and ill-considered conduct of so many of the states. The lower legislative house, elected by the people, would be paired with one whose members would be chosen in a manner that would insulate them from the gusts of popular whim. These two houses would be further checked and balanced by a strong executive and an independent judiciary. Through three months of compromise and sometimes-heated arguments, the convention held to an agreement that these principles of the Virginia Plan were indispensable to a reform that would confer adequate powers on the central government and, at the same time, seat the revolutionary experiment in representative government on more stable ground.

But Madison's responsibility for the creation of the federal government is not a simple question of his role at Philadelphia. When the Constitutional Convention rose, he returned to the Confederation Congress, which recommended the new plan of government to the consideration of the people, meeting in conventions in their several states. And he assumed a central role in orchestrating the campaign that followed. His private letters maintained contact with allies throughout the states, as friends of the proposal sought to build momentum with some early victories. He joined with Hamilton and Jay to write *The Federalist,* a hurried series that still stands as probably the most impressive work on government Americans have ever done. Nor was this all. The Union's largest state, his own Virginia, elected a convention that was narrowly divided. Seconded by Mason, Patrick Henry led the opposition. Madison, who had returned to lead the proponents of the plan, responded clause by clause to antifederal objections, counterpoising patient reasoning to Henry's brilliant flights of rhetoric. Madison was no such orator as Henry, yet John Marshall said that if we mean by eloquence the ability to persuade, then Madison was the most eloquent speaker he ever heard. Without his leadership, Virginia—followed by New York—might well have doomed the Constitution. With it, a new government assembled in April 1789, and Madison continued the work he had begun in the Constitutional Convention. As Washington's adviser and as the most respected member of the House of Representatives, he took the lead in filling in the outline of the Constitution. He

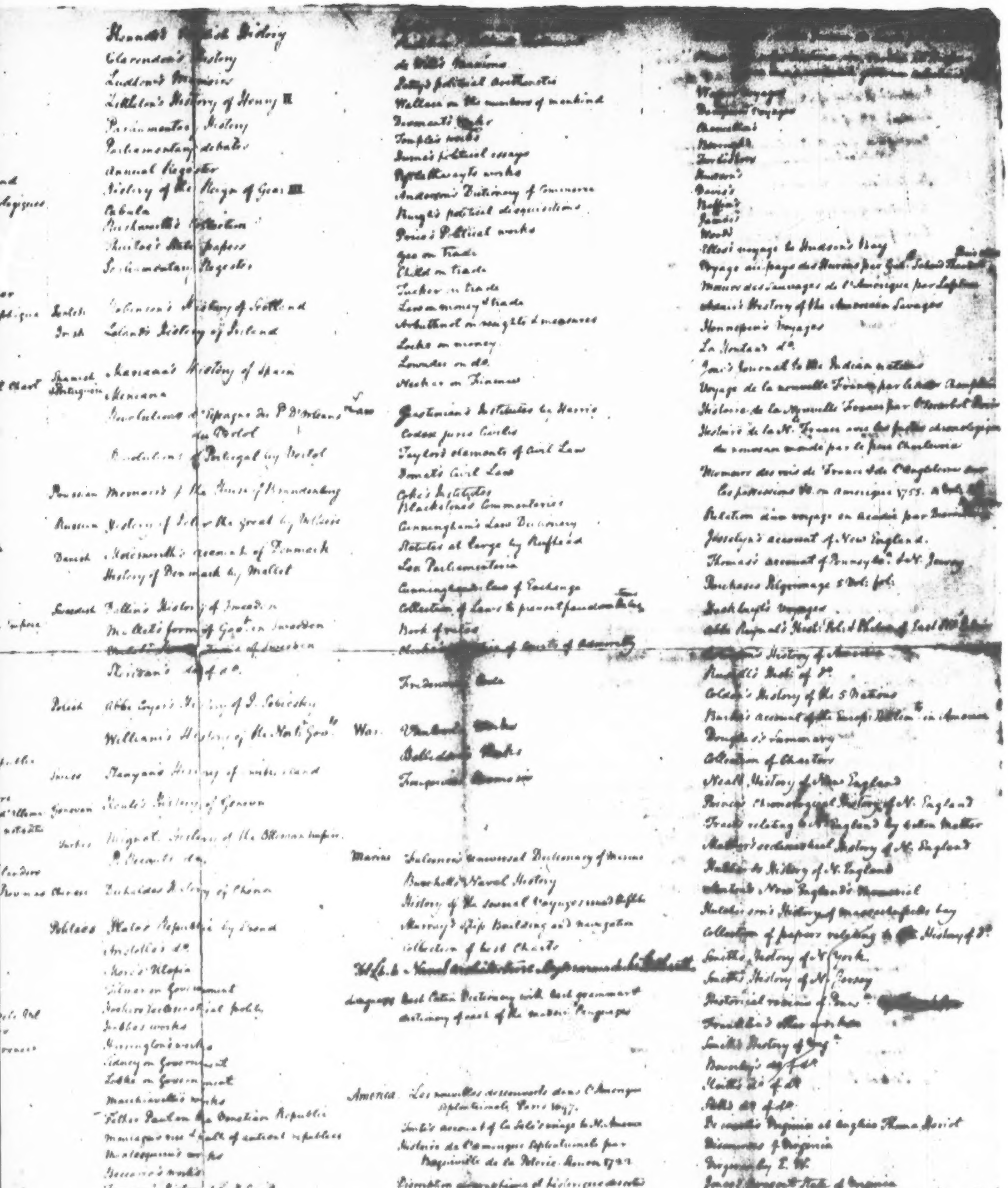
*Thomas Jefferson. Engraved by T. House for George Bancroft's* History of the United States *from a painting by M. Brown done in 1786 for John Adams. Prints and Photographs Division, Library of Congress.*

wanted, and he waited for months and years while friends or agents sought out the particular works he yearned for. His grandfather's parsimonious collection may have reflected a Presbyterian budget rather than a catholic interest but as for his grandson, there was only a hint of self-indulgence reflected in Madison's book-buying habits.

In assembling information about Madison's library we learn a good deal more about the man than even his most admiring biographer imagined one might.[1] No doubt Madison partly leaped into book collecting through his admiration for Jefferson. His older friend's eagerness to buy systematically the best books in Paris for Madison may have almost forced him to enlarge his library. To encompass all knowledge in our reading now seems preposterous, but in Madison's time the illuminati were convinced that if they could not master everything, they ought at least to have a systematic plan that would afford them generous samples of every branch of knowledge. The human mind was thought to have three "faculties"—imagination, reason, and memory.[2] To cultivate these faculties, the scholar delved into the three fields of learning



*In 1783 Madison prepared a list of books to constitute the intellectual nucleus for a library for the Congress. Madison Papers, Manuscript Division, Library of Congress.*



[illegible] [illegible]ish History
Clarendon's History
Ludlow's Memoirs
Littleton's History of Henry II
Parliamentary History
Parliamentary debates
Annual Register
History of the Reign of Geo. III
Cabala
Rushworth's Collection
Thurloe's State papers
Parliamentary Registers

Scotch Robertson's History of Scotland
Irish Leland's History of Ireland

Spanish Portuguese Mariana's History of Spain
Mexicana
Revolutions d'Espagne du P. D'Orleans
du Vertot
Revolutions of Portugal by Vertot

Prussian Memoirs of the House of Brandenburg
Russian History of Peter the great by Voltaire
Danish Molesworth's account of Denmark
History of Denmark by Mallet
Swedish [illegible]'s History of Sweeden
Mr. [illegible]'s form of Govt. in Sweeden
[illegible] of Sweeden
Sheridan's do. of do.
Polish Abbe Coyer's History of J. Sobiesky
William's History of the North. Govts.
Swiss Stanyan's History of Switzerland
Genevan Keate's History of Geneva
Turkish Mignot. History of the Ottoman Empire.
[illegible] do.
Chinese Du Halde's History of China

Politics Plato's Republic by Spens
Aristotle's do.
More's Utopia
Filmer on Government
Hooker's Ecclesiastical polity
Hobbes works
Harrington's works
Sidney on Government
Locke on Government
Machiavelli's works
Father Paul on the Venetian Republic
Montagu's rise & fall of antient republics
Montesquieu's works
Beccaria's works
Ferguson's History of Civil Society
Millar on distinction of Ranks in Society
Steuart's principles of Political economy
Smith on the wealth of Nations
Baron Bielfeld's political Institutions.

[illegible]
De Witt's Maxims
Petty's political Arithmetic
Wallace on the numbers of mankind
Davenant's works
Temple's works
Hume's political essays
Postlethwayte's works
Anderson's Dictionary of Commerce
Burgh's political disquisitions
Price's Political works
Gee on Trade
Child on trade
Tucker on trade
Law on money & trade
Arbuthnot on weights & measures
Locke on money
Lowndes on do.
Necker on Finances

Law Justinian's Institutes by Harris
Codex juris Civilis
Taylor's elements of Civil Law
Domat's Civil Law
Coke's Institutes
Blackstone's Commentaries
Cunningham's Law Dictionary
Statutes at large by Ruffhead
Lex Parliamentaria
Cunningham's law of Exchange
Collection of Laws to prevent fraudulent [illegible]
Book of rates
[illegible] of Courts of Admiralty

Frederician Code

War Vauban's works
Belidor's works
Feuquiere's Memoirs

Marine Falconer's universal Dictionary of Marine
Burchett's Naval History
History of the several voyages round the globe
Murray's Ship Building and navigation
Collection of best Charts
[illegible] Naval architecture [illegible]

Languages Best Latin Dictionary with best grammar &
dictionary of each of the modern languages

America Les nouvelles decouvertes dans l'Amerique
Septentrionale. Paris 1697.
Tonti's account of La Sale's voyage to N. America
Histoire de l'Amerique Septentrionale par
Bacqueville de la Potherie. Rouen 1722
Description geographique et historique des costes
de l'Amerique Septen. par le Sieur Denys
Oldmixon's Brit. Empire in America
Kalm's travels through N. America
Carver's travels through N. America
[illegible]

[illegible]
[illegible] voyages
Dampier's voyages
[illegible]
Narbrough's
Frobisher's
Hudson's
Davis's
Baffin's
James's
Wood's
Ellis's voyage to Hudson's Bay
Voyage au pays des Hurons par Gab. Sagard Theodat
Moeurs des Sauvages de l'Amerique par Lafitau
Adair's History of the American Savages
Hennepin's voyages
La Hontan's do.
Jones's Journal to the Indian nations
Voyage de la nouvelle France par le Sieur Champlain
Histoire de la Nouvelle France par l'Escarbot
Histoire de la N. France avec les fastes chronologiques
du nouveau monde par le pere Charlevoix
Memoires des rois de France & de l'Angleterre sur
les possessions &c. en Amerique 1755. [illegible]
Relation d'un voyage en Acadie par Dierville
Josselyn's account of New England.
Thomas's account of Pennsylva. & N. Jersey
Purchase's Pilgrimage 5 vols. fol.
Hackluyt's voyages
Abbe Raynal's Hist: Pol. & Philos. of East & W. Indies
Robertson's History of America
Russell's Hist. of do.
Colden's History of the 5 Nations
Burke's account of the Europ. settlements in America
Douglass's Summary
Collection of Charters
Neal's History of New England
Prince's Chronological History of N. England
Tracts relating to N. England by Cotton Mather
Mather's ecclesiastical History of N. England
Hubbard's History of N. England
Morton's New England's Memorial
Hutchinson's History of Massachusetts bay
Collection of papers relating to the History of do.
Smith's History of N. York
Smith's History of N. Jersey
Historical review of Penn. [illegible]
Franklin's other works
Smith's History of Virga.
Beverley's do. of do.
Keith's do. of do.
Stith's do. of do.
De commodis Virginiae et Anglis Thoma Hariot
Discoveries of Virginia
Virginia by E. W.
Jones's present State of Virginia
A [illegible] of Virga. by Sr. Wm. Berkeley Govr. the
An account of the late Rebell. of Nath. Bacon 1677.
[illegible] present State of Virginia
[illegible] papers from

*Joseph Addison. Stipple engraving by David Edwin. Two generations of Americans, typified by Franklin and Madison, regarded Addison's* Spectator *as a stylistic model.*

in both England and America. Once convinced that the best solution to slavery was the return of free blacks to Africa, Madison embraced the plan for an Americanized Liberia wholeheartedly—as both his correspondence and library attest.

In the realm of fiction and poetry, Madison's tastes were limited. Beyond Shakespeare's *Hamlet,* a 1631 edition of Ben Jonson's *Bartholomew Fayre: A Comedie,* and the poems of Burns and Thomson (the enormous popularity of Thomson's *Seasons* seems inexplicable now), Madison's tastes in fiction and drama are veiled in mystery. There is no doubt at all, however, that Madison was an admirer of Joseph Addison (the contributor to the *Spectator* and the *Tatler*), whom the Virginian considered "of the first rank among the fine writers of the age." In his old age Madison recalled that he was a young man when he first encountered the *Spectator,* and for the rest of his days Madison thought the famous essays were "the best that had been written for cherishing in young minds a desire of improvement, a taste for learning, and a lively sense of the duties, the virtues, and the proprieties of life."

Thus impressed with Addison as a stylist, Madison might have seen something of his own image in the *Spectator,* no. 105, which described "the Book-Pedant." "Of all the species of pedants . . . he has at least an exercised understanding, and a head which is full though confused, so that a man who converses with him may often receive from him hints of things that are worth knowing, and what he might possibly turn to his own advantage, tho' they are of little use to the owner." Madison's detailed study of the female marmot in 1786 might qualify for the latter point, but no one of Madison's close acquaintanceship would have accused him of being the "worst kind" of pedant—those who "are naturally endued with a very small share of common sense, and have read a great number of books without taste or distinction." For certainly Madison and his book-buyer in Paris exercised considerable discretion in their selection of books, and they must have been among the best-read Americans of their day.

Undoubtedly Madison treasured the books he owned and used. He had them crated and sent from Montpelier to New York when the First Federal Congress was in session, and he moved them to Philadelphia and Georgetown as the peripatetic new government took him from Congress to the State Department and finally the White House. Not long after James and Dolley Madison settled down in the president's residence, their friend Joel Barlow offered Madison his mountainous set of the French *Encylopédie* for $448 and seven dictionaries for "the Presidents Library," not knowing that Madison already possessed most of them. Many of these books were probably lost when the British invaded Washington in 1814, although we cannot be sure, for Madison had moved his most cherished books to Montpelier through the years and the *Encyclopédie* might have been spared the grenadier's torch through Madison's desire to rebuild a retirement collection in his Orange County home.

When Madison finally returned to Montpelier we may be sure that books were among the high priorities of his retirement. No accurate testimony on his library after 1817 can be found, but those who visited Montpelier and others who were concerned with his estate estimated the library held several thousand volumes. Dozens, perhaps hundreds, had come to the former president from admirers who sent presentation copies. Some, such as William Wirt's *Life of Patrick Henry,* may have struck Madison the way it did Jefferson, for Henry was no favorite of either. "It is a poor book," Jefferson told guests, "written in bad taste, and gives an imperfect idea of Patrick Henry. It seems written less to show Mr. Henry than Mr. Wirt."

There was a wide cross section of American publishing among the gifts which came to Montpelier, as the surviving 587 pamphlets in Madison's Montpelier collection reveal. Madison had intended to give all his books and pamphlets to the University of Virginia, where he had succeeded Jefferson as rector, but instead the books had to be sold to settle other claims and only the pamphlets found their way to Charlottesville. These range from the racy (for the times) *Divorce Proceedings . . . of Andrew Ure v. Catharine Ure, for Adultery with Granville Sharpe Pattison* to dozens of tracts on farming and agricultural societies. Somewhere in between, Madison's shelves held a catalog from the expanding Wedgwood pottery factory at Etruria, many tracts on the American Colonization Society, important pamphlets produced during the Anglo-American controversy between 1771 and 1776, and religious essays emphasizing toleration rather than church doctrine. As a dilettante in natural science, Madison had several treatises on microscopes, and his copy of Pornet's work *The Complete History of Drugs* (only one volume, printed in London in 1712) leaves us wondering if Madison was trying to doctor himself for the many maladies that periodically sent him to the sickbed throughout his life.

Whether Madison was an amateur physician or not is uncertain, but we do know that he had ideas about architecture and implemented some of them in the alterations of Montpelier. Madison's tastes in architecture predictably leaned the way Jefferson's did, and it is no surprise to learn that in 1817, when Jefferson was working on the University of Virginia master plan and could not find his copy of Andrea Palladio's magnificent treatise on "all Sorts of Buildings," the Montpelier library was able to supply the needed work. "We are sadly at a loss here for a Palladio," Jefferson wrote Madison. "Nobody in this part of the country has one unless you have." In short order Madison replied, "[I] shall send my Palladio by the Stage of tuesday.' Thus the work in Charlottesville went on apace, as Jefferson consulted Palladio (and through his volume, the commentary of the great Inigo Jones), and in good time returned it to Montpelier.

Madison's interest in architecture was sufficient to make him know what he wanted, and he was certainly an informed admirer of Jefferson's plan at the university. His interest in law was another matter. The notion of becoming a practicing attorney apparently crossed his mind but was soon dismissed. It is possible that he escaped the call of the legal profession through his success in politics without legal training, but Madison spent long hours poring over works on international law when he was a Virginia congressman and the Mississippi waterway was in Spanish hands. This self-training aided Madison later when he was secretary of state, and he became something of an authority on maritime law when the controversy over impressment raged. But lawbooks, and particularly Blackstone, were never Madison's chief delight. At a time when dozens of his friends regarded Blackstone's *Commentaries* as the ultimate voice, Madison probably agreed with Jefferson, who wanted Americans to "uncanonise Blackstone."

Little else in the world of books that was worth having escaped Madison's attention, as he clutched Diderot's *Systême de la nature* on one day, Gibbon's *Decline and Fall of the Roman Empire* on another, and then turned to Voltaire's *Memoires.* The frightening number of political screeds printed after 1820 with commentaries on the growing rift between North and South disturbed Madison mightily, and he read them with increasing concern when their authors sent them gratis (by postal rules of the day) to Montpelier. In times of stress scholars tend to turn to their books for reassurance, and as the nation bounded from the Missouri Compromise to the Nullification crisis, Madison (who had little use for the "Nullies" from South Carolina) found comfort in his volumes. When the Nulcounsels to the widest limits that the desperate situation of the country required. The people shall be judge of their wisdom.

For Publius-Madison, the ruling principle of popular sovereignty was no remote abstraction buried in the pages of philosophy or the hypothetical origins of civil society. It was a living principle embodied in effective judgments and acts. If the convention plainly lacked authority to revolutionize the political order in its own right, still the people at large could not act effectively for themselves. Spontaneous rebellion without method or guidance or controlling principle—Jefferson's salutary storms to make abusive rulers tremble—could destroy but not create. Thus, Madison wrote, "in all great changes of established governments, forms ought to give way to substance" or "the transcendent and precious right of the people" to make or break their governments in order to secure their safety and happiness would become "nominal and nugatory." Spontaneous combustion can start insurrections but cannot make or complete revolutions; and "it is therefor essential, that such changes be instituted by some *informal and unauthorised propositions,* made by some patriotic and respectable citizen or number of citizens."[16]

Such had been the history of the American Revolution, with its self-created committees, congresses, and conventions to unite and direct the people in "plans for their safety and happiness." Once more in 1787 America confronted a great crisis. The "hopes and expectations of the great body of citizens" turned to the convention. The founders' choice was simple: either they could exercise "a manly confidence in their country, by whose confidence they had been so peculiarly distinguished" and point out a system "capable in their judgment of securing its happiness"; or they could take "the cold and sullen resolution" of sacrificing ends to means, substance to forms, and earn the condemnation of "the impartial world," of "the friends of mankind," and of "every virtuous citizen." In the history of the Republic, where honor or infamy are assigned to men of great responsibility, some new Plutarch would judge the founders among the lawgivers of all nations not by the nicety of their method—not by the rules of petty prudence and decorum—but by the enduring merit of their work.[17]

Short of a profound degeneration of the political order and of the American character, however, this once should be enough. Founding, as the completion of the Revolution on revolutionary principles, should be a rare and extraordinary act. For it meant suspending for an agonizing moment the laws—and thus the ordered life—of the Republic on faith and hope beyond the rules of probability.

* * *

To explore the other, cautionary side of Madisonian reasoning on revolution and founding would demand another essay. The heart of his argument can be found in his relentless struggle against proposals for a second constitutional convention to rewrite the Philadelphia plan, a battle that was not completely won until the First Congress approved the Bill of Rights in 1789. Yet it was an old plan of Jefferson's for conventions to restore and revise deformed consitutions that drew from Madison his deepest thoughts. The argument remained so clearly focused in his mind that he repeated and expanded on it a few years later when Jefferson sent him the shocking case for the absolute sovereignty of the "living generation."[18]

Jefferson's scheme for frequent conventions, Publius-Madison thought, threatened to open a political abyss, for constitutional questions pierced to the roots of sovereignty and loyalty. The founders' "honorable determination . . . to rest all our experiments on the capacity of mankind for self-government"—and on their capacity for establishing and changing the foundations of government—did not rest on blind faith in the people. Madison meant a rational confidence, hedged with conditions. Those conditions grew out of his understanding of the springs of political conduct. Thus Madison in the distinctive voice of Publius the Roman rebuked his beloved and admired friend, and all those speculative builders of paper-systems who would neglect the prudence of founding:

> As every appeal to the people would carry an implication of some defect in the government, frequent appeals would in great measure deprive the government of that veneration, which time bestows on every thing, and without which perhaps the wisest and freest governments would not possess the requisite stability. If it be true that all governments rest on opinion, it is no less true that the strength of opinion in each individual, and its practical influence on his conduct,

> depend much on the number which he supposes to have entertained the same opinion. The reason of man, like man himself is timid and cautious, when left alone; and acquires firmness and confidence, in proportion to the number with which it is associated. When the examples, which fortify opinion, are *antient* as well as *numerous*, they are known to have a double effect. In a nation of philosophers, this consideration ought to be disregarded. A reverence for the laws, would be sufficiently inculcated by the voice of an enlightened reason. But a nation of philosophers is as little to be expected as the philosophical race of kings wished for by Plato. And in every other nation, the most rational government will not find it a superfluous advantage, to have the prejudices of the community on its side.[19]

The classic version of the dissolution of republics envisioned a wild and bloody scene of revolutionary mobs led by incendiary demagogues. Madison's own classic-American nightmare, peopled by Captain Shays and his "desperate debtors," could be used to shock respectable and complacent readers of *The Federalist* into awareness of the urgent need for creating a new order by extraordinary and irregular means. Revolutionary founding could be defended not only by appeal to "the transcendent law of nature and of nature's God" but as the sole alternative to revolutionary chaos. Contemplating Jefferson's proposed conventions, however, Madison projected a quite different road to dissolution, far less dramatic, far more subtle. Continual appeals to the people questioning constitutional principles and institutions would gnaw at the vital prejudices of the community, the common faith that made men loyal citizens, until America—the real America and no imaginary "nation of philosophers"—slowly dissolved into its disconnected, self-regarding elements. There would be men but no citizens; a country but no nation; a dead body of laws. The danger for America was most extreme because free republics above all other forms of government "rest on opinion" in principle as well as practice.

For Publius-Madison, the founding was a gentle revolution to end all revolutions, so far as the eye of reason and experience could see. Its task was to make the ordinary stuff of human nature—the interests and passions and prejudices as well as the saving gifts of intellect and character and spirit—serve the safety and happiness of society within the framework of wise laws and well-tempered institutions. Properly understood, respected, even in some measure reverenced by posterity, the Republic of the Constitution as conceived by its founders could give freedom and self-government a new life in America. That would be a fair return for those ancient ghosts who spoke to them at Philadelphia.

## NOTES

A generous fellowship from the National Endowment for the Humanities provided time for study and reflection on the subject of this essay. I have drawn some thoughts from two earlier discussions of Madison in Marvin Meyers, ed., *The Mind of the Founder* (Indianapolis and New York: Bobbs-Merrill, 1973), particularly the introductory essay, "Beyond the Sum of the Differences"; and in Meyers, "Founding and Revolution," in Stanley Elkins and Eric McKitrick, eds., *The Hofstadter Aegis: A Memorial* (New York: Knopf, 1974), pp. 3-35. Although I have not cited the large and useful secondary literature on Madison and the founding, or on his friend Jefferson, I must record the great debt I share with all scholars to the authoritative six-volume biography of Madison by Irving Brant, to the no less authoritative five volumes on Jefferson by Dumas Malone, to Merrill Peterson's fine books on Jefferson, the luminous essays of Douglass Adair, and most particularly to the excellent annotations by the several editors of the definitive *Papers of James Madison*, through the twelve volumes published to date.

1. The choice of "Publius" to represent the authors of *The Federalist* belonged to Hamilton as initiator of the project, although Madison readily accepted the pseudonym. On the character of the Roman Publius, compared with Solon, see the account in Plutarch, familiar to the American founders: *The Lives of the Noble Grecians and Romans* (New York: Random House, Modern Library, n.d.), pp. 117-33. Madison's discussions of ancient lawgivers and republics appear in Jacob E. Cooke, ed., *The Federalist* (Cleveland and New York: World Publishing Co., 1961), paper no. 38, pp. 240-41, 246, and throughout the volume. The Madison-Jefferson correspondence can be found conveniently throughout James Madison, *Papers of James Madison*, ed. William T. Hutchinson and William M. E. Rachal (vol. 1-7) and Robert A. Rutland et al. (vols. 8–) (Chicago: University of Chicago Press, 1962–77; Charlottesville: University Press of Virginia, 1978–). John Adam's "ungainly book" is *A Defence of the Constitutions of Government of the United States of America*, the first volume of which was published in London in 1787 and reprinted that year in Boston, New York, and Philadelphia. The text is in John Adams, *The Works of John Adams*, ed. Charles Francis Adams (Boston: Little, Brown, 1851), vol. 4. For Madison's severe reaction, see Madison to Jefferson, June 6, 1787, in Madison, *Papers*, 10:29-30; Madison to Jefferson, October 17, 1788, ibid., 11:296-97.

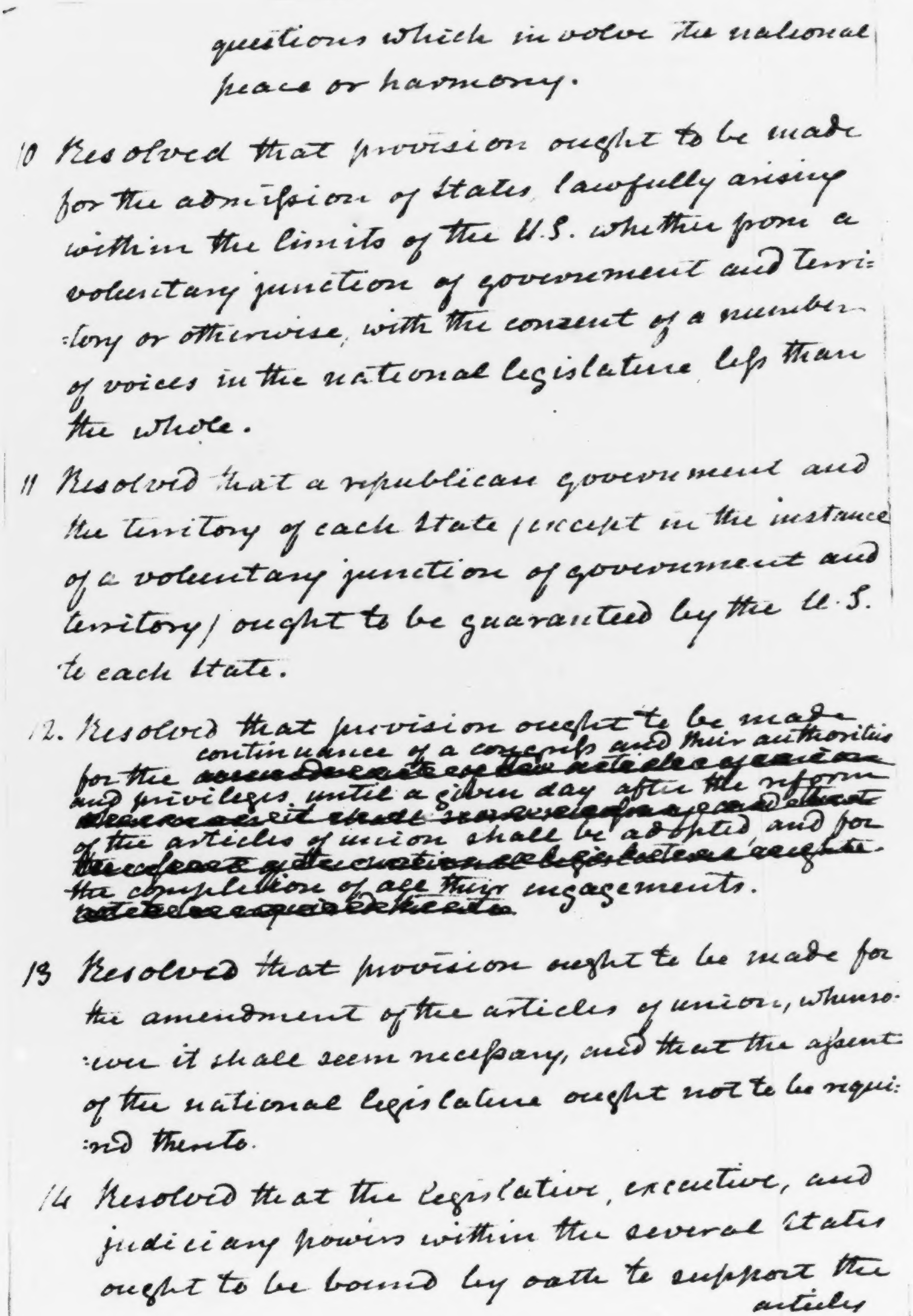
2. Madison's "model library" is detailed, with his speech to Congress, January 24, 1783, recommending the purchase, in Madison, *Papers*, 6:62-115, 116. On his support for Jefferson's building plan, see Jefferson to Madison, Septem-

before a negative thereon shall be final; and that the dissent of the said council shall amount to a rejection, unless the act of the national legislature be again passed or that of a particular legislature be again negatived by
of the members of each branch.

9 Resolved that a national judiciary be established to consist of one or more supreme tribunals, and of inferior tribunals; to be chosen by the national legislature, to hold their offices during good behavior. and to receive punctually at stated times fixed compensation for their services, in which no increase or diminution shall be made so as to affect the persons actually in office at the time of such increase or diminution.

That the jurisdiction of the inferior tribunals shall be to hear and determine in the first instance and of the supreme tribunals to hear and determine in the dernier resort;

all piracies and felonies on the high seas,
captures from an enemy,
cases in which foreigners or citizens of other States applying to such jurisdictions may be interested, or
which respect the collection of the national revenue;
impeachment of any national officers, and
questions



questions which involve the national
peace or harmony.

10 Resolved that provision ought to be made
for the admission of States lawfully arising
within the limits of the U.S. whether from a
voluntary junction of government and terri=
=tory or otherwise, with the consent of a number
of voices in the national legislature less than
the whole.

11 Resolved that a republican government and
the territory of each State (except in the instance
of a voluntary junction of government and
territory) ought to be guaranteed by the U.S.
to each State.

12. Resolved that provision ought to be made
for the continuance of a congress and their authorities [illegible]
and privileges until a given day after the reform
[illegible]
of the articles of union shall be adopted and for
[illegible]
the compleltion of all their engagements.
[illegible]

13 Resolved that provision ought to be made for
the amendment of the articles of union, whenso=
=ever it shall seem necessary, and that the assent
of the national legislature ought not to be requi=
=red thereto.

14 Resolved that the legislative, executive, and
judiciary powers within the several States
ought to be bound by oath to support the
articles

*From James McHenry's May 29, 1787, notes on the Virginia Plan, including Resolution 9. James McHenry Papers, Manuscript Division, Library of Congress.*

majorities. The great problem facing the delegates, as he saw it, was to devise a federal republic that would combine a maximum of popular control with constitutional arrangements that would counteract its evil tendencies.

Property-holding qualifications for voting and holding office had some support at Philadelphia but much less support than one would have expected in view of their prevalence in the states. Madison, together with Wilson, was the most outspoken opponent of this means of eliminating the presumed evils of republican government. The Virginia Plan of Union permitted popular election of only one house of the legislature, but as the convention proceeded Madison came, at one time or another, to advocate popular election of congressmen, senators, and presidential electors.

Unyielding devotion to the powers and independence of the central government probably accounts for his increasing advocacy of democratic devices as the convention progressed. After the convention rejected the Virginia Plan mode for constituting the Senate and the presidency, he saw that there was still the possibility of reducing the influence of state governments on these two branches by having them elected directly by the people. In short, democracy became a *means* of promoting nationalism.

### Stability

As far as the federal government was concerned, Madison relied on long terms to promote stability. Initially he favored a three-year term for representatives, a seven-year term for senators, and a seven-year term for a president who would be ineligible for reelection. For the federal judges, he always favored life tenure. His national veto of state laws, he thought, would promote stability in the state governments.

### Protection of private property rights of individuals

No problem of representative government was more absorbing to Madison than that of preventing legislative injustices to the economic interests of minorities; his diagnosis of this problem is the most original theorizing done by any delegate at the Philadelphia Convention.

Madison was skeptical about achieving a perfect solution to the problem through constitutional guarantees, but he did of course give his approval to a basic constitutional structure that incidentally would operate to check national numerical majorities. He recognized and approved the fact that the tenure and powers of the Senate, the presidency, and the Supreme Court provided them with the capacity to defend national minorities, if they so desired, from unjust legislation passed by the House of Representatives. But Madison placed his greatest hope on the statistical probability that a legislative body representing the entire United States would contain a wide variety of interests—so varied and numerous that any given bill would not likely affect directly the interests of a majority. The large bloc of unaffected or neutral legislators having no selfish interests in the outcome, he reasoned, would be in the position of a jury and therefore able to decide justly.

Letters that Madison wrote to Jefferson after the Philadelphia Convention show that he had more faith in a neutral bloc in Congress than in a federal bill of rights. Despite the popularity of the concept of a bill of rights in the states, Madison was skeptical of their value in a republic based on the principle of majority rule. He conceded that a bill of rights could work effectively to stop government officials from oppressing individuals whenever a majority was against the government, and he admitted that it might have some use in establishing a tradition against the abuse of superior power by those who possessed it. But he was dubious about the prospects of government officials acting in behalf of individuals when the majority that put them into office strongly disapproved.

Madison's views on the expropriating tendencies of republican governments were not confined to conjectures about a future national Congress. He was even more concerned about what had recently been done in the states and anxious to use the power of a national government to restrict the states in the future. On June 6 he said that interferences with private rights and "the steady dispensation of justice" in the states were "evils which had more perhaps than

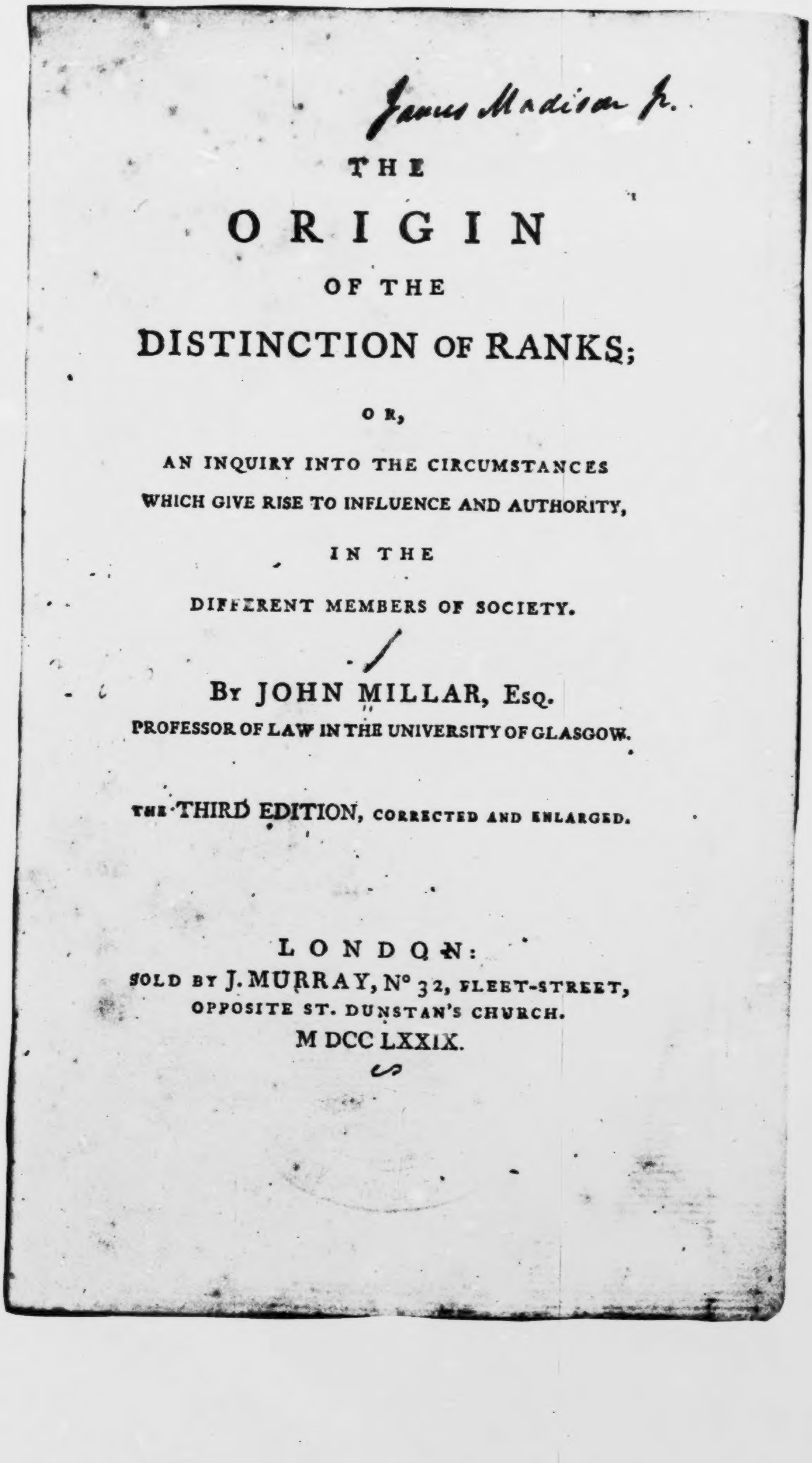
*Extract of a letter from James Madison to Thomas Jefferson, dated October 24, 1787. Papers of James Madison, Manuscript Division, Library of Congress.*

LIBRARY OF CONGRESS

Extract of a letter to Mr. Jefferson 24 Octr. 1787.

with respect to the Genl. Govt. [illegible] of States adequately to the prevention of encroachmts. on Genl. Govt. [illegible] mutability & injustice in State legislation.

Without such a check in the whole over the parts, our system involves the evil of imperia in imperio. If a compleat supremacy some where is not necessary in every Society, a controuling power at least is so, by which the genl. authy. may be defended agst. encroachmts. of the subordinate authorities, and by wch. the latter may be restrained from encroachments on each other. If the supremacy of the B. Parlt. is not necesy. as has been contended, for the harmony of that Empire, it is evident I think that without the royal negative or some equivalent controul, the unity of the system wd. be destroyed. The want of some such provision seems to have been mortal to the antient Confederacies, and to be the disease of the modern. Of the Lycian Confederacy little is known. That of the Amphyctions is well known to have been rendered of little use whilst it lasted, and in the end to have been destroyed, by the predominance of the local over the federal authority. The same observation may be made, in the writings of Polybius, with regard to the Achæan league. The Helvetic System scarcely amounts to a Confederacy, and is distinguishd. by too many peculiarities to be a ground of comparison. The case of the U. Netherlds. is in point. The authy. of a Statholdr. the influence of a Standg. army, the common interest in the conquered possessions, the pressure of surrounding danger, the guarantee of foreign powers, are not sufficient to secure the authy. & interests of the generality agst. the antifedl. tendency of the provincial sovereignties. The German Empire is another example. A Hereditary chief with vast independt. resources of wealth & power, a federal Diet with ample parchmt. authority, a regular Judiciary establisht. the influence of the neighbourd. of great & formidable Nations, have been found unable either to maintain the subordination of the members, or to prevent their mutual contests and encroachts. Still more to the purpose is our own experience both during the war and since the peace. Encroachts. of the States on the general authority, sacrifices of national to local interests, interferences of the measures of different States, form a great part of the Histy. of our political system. It may be sd. yt. the new Constn. is founded on diff. principles & will have a diff. operation. I admit the difference to be material. It presents rather the aspect [illegible] of a feudal system of Republics, if such a phrase may be allowed, than of a Confedy. of independt. States. And what has been the progress and event of the feudal Constns.? In all of them a contd. struggle between the head & the inferior members, until a final victory has been gained in some instances by one, in others by the other of them. In one respect indeed there is a remarkable variance between the two cases. In the feudal system



James Madison Jr.

THE

# ORIGIN

OF THE

# DISTINCTION OF RANKS;

OR,

AN INQUIRY INTO THE CIRCUMSTANCES
WHICH GIVE RISE TO INFLUENCE AND AUTHORITY,
IN THE
DIFFERENT MEMBERS OF SOCIETY.

By JOHN MILLAR, Esq.
PROFESSOR OF LAW IN THE UNIVERSITY OF GLASGOW.

THE THIRD EDITION, CORRECTED AND ENLARGED.

LONDON:
SOLD BY J. MURRAY, N° 32, FLEET-STREET,
OPPOSITE ST. DUNSTAN'S CHURCH.
M DCC LXXIX.

that classified all human knowledge: history (civil and natural), philosophy (mathematical and ethical), and the fine arts (beaux arts and belles lettres). These ideas from Sir Francis Bacon were readily accepted by the likes of Jefferson and Madison, who appear to have avoided desultory reading so that they would constantly be on the attack upon mankind's ignorance. At the heart of the matter was the belief—almost an unshakable belief to the last wave of the Enlightenment generation embodied in the Madison-Jefferson axis—that if men possessed enough knowledge they would use reason and learning to solve the problems besetting mankind.

Books, then, were the key to learning for Madison. His books contributed to his fundamental knowledge of the world: how it came into being, what its resources were, and how they might be used to aid mankind. Implicit in much of this search for the right books to read was the postulate that frivolous reading was a complete waste of time. "Read for a purpose" may have been Madison's charge to himself, for, from his college days onward, he hardly ever read for anything but self-improvement or for gaining perceptions and insights into the problems he faced. Jefferson's views doubtless colored Madison's, and the master of Monticello observed, "Nothing of mere amusement should lumber a public library"—and presumably not a good private one, either.[3]

Madison's library was a workshop. That he was well trained in the Princeton library is beyond doubt, for he had been out of the College of New Jersey little more than a decade when he became the wheelhorse on a congressional committee charged with reporting "a list of books proper for the use of Congress." This 1783 report, which was never implemented by the impecunious Continental Congress, furnished a guide for the ideal legislator's library. Not surprisingly, a great many of the books mentioned on Madison's nine-page list (which, had the books been assembled, would have resulted in a collection of about thirteen hundred volumes) were already in Jefferson's library at Monticello or soon would be.[4] Jefferson and Madison were both living in the same Philadelphia boardinghouse when the list was compiled, and there is a striking resemblance between Madison's report and a "1783 catalogue" Jefferson drafted.

*Title page from* The Origin of the Distinction of Ranks, *a work by John Millar, published in London in 1779. Rare Book and Special Collections Division, Library of Congress.*

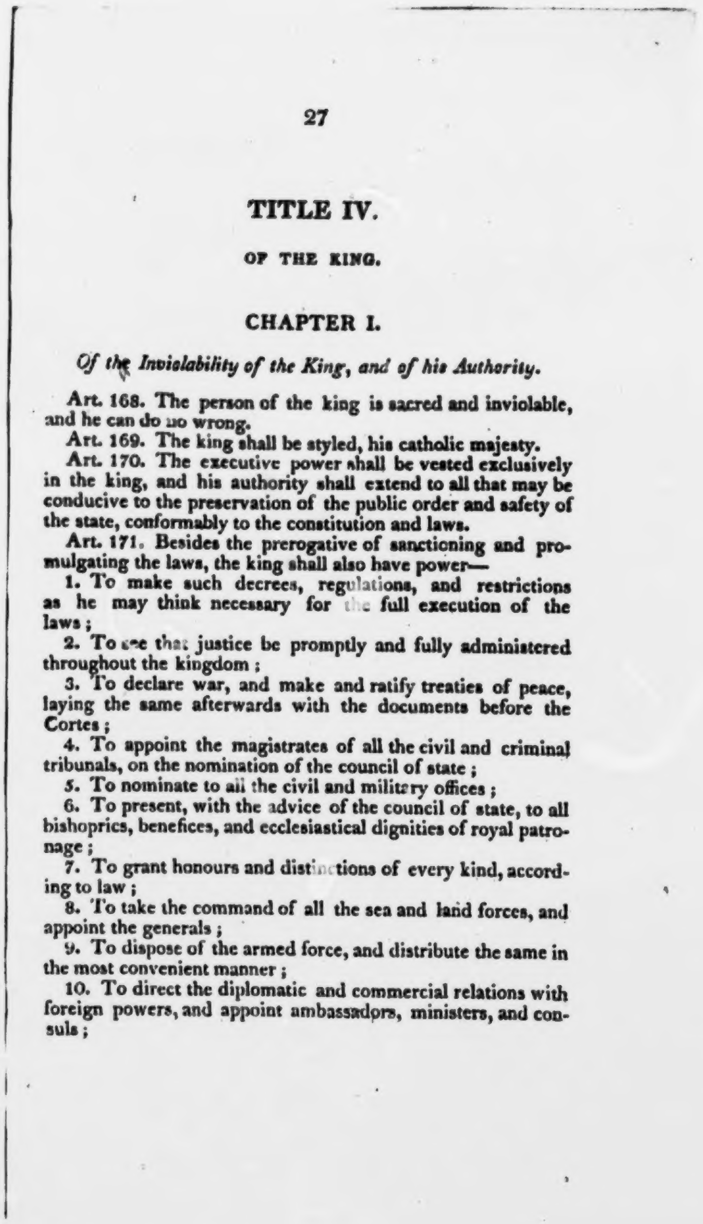
The 1783 list was heavily weighted toward the rubric "Law of Nature and Nations," including history, politics, and languages. How many of these volumes Madison owned at the time is conjectural, but he had made his start at book collecting when the library of William Byrd III was sold in Philadelphia in 1781. At that sale, Madison spent £ 19.16.0 for "a few scarce books" from the Byrd estate. Perhaps a sixth of the volumes on his congressional list either were in his possession or were books he had studied and restudied. Madison had a wonderfully retentive memory, and from that source alone—reinforced by his writings—he quoted favorite writers in history, politics, philosophy, and law. The congressional report begins with the *Encyclopédie méthodique*, the great French work begun under Charles Joseph Panckoucke in the 1780s, of which Madison eventually acquired at least 101 volumes—there were 166½ in all. This was the philosophe's dream come true—all human knowledge packed into a single work—and Madison's admiration for the idea and the work was manifest. Where Madison kept his *Encyclopédie* at Montpelier is uncertain, for the weight as well as the bulk demanded strong shelves, but surely such treasure was with him to the end of his days.

Madison also knew and must have owned the standard works from the period appearing on his list. Grotius's and Pufendorf's like-titled *Law of Nature and Nations* were quoted by him throughout his life, along with works by Vattel, Thomas Salmon, Sir Walter Raleigh, Bishop Burnet, and Hume. Salmon was a historian-geographer with wide appeal in the eighteenth century, Raleigh's *History of the World* had a huge audience, and Gilbert Burnet's *History of His Own Time* seems to have been on every good Virginia scholar's bookshelf. As for David Hume, his six-volume *History of England* brought him much renown, but for Madison it was probably Hume's *Essays, Moral, Political, and Literary* which had the most impact. Indeed, it was probably from Hume that Madison gathered some lifiers quoted Jefferson in support of their cause, Madison's hands glided to his own copy of the 1829 edition of his old friend's writings and he found "his authority is ever so clearly and emphatically against them."[6]

Controversy was becoming the ruling passion of the day, nonetheless. The edition of Jefferson's correspondence which Madison referred to had a few unflattering comments on "Light-Horse Harry" Lee, and these provoked Lee's son into publishing his *Observations on the Writings of Thomas Jefferson, with particular reference to the attack they contain on the memory of the late Gen. Henry Lee.* Jefferson's grandson-in-law, Nicholas P. Trist, sent Madison a copy, noting that the book "holds up Mr. J. in the most unfavourable light possible—indeed in a *positively* bad, *very* bad, light . . . and although it cannot have a permanent, it will have a temporary effect on T. J.'s fame." Madison acknowledged receipt of the book, but said his reading of it would have to await better health. "It may be added that a full exhibition of the correspondences of distinguished public men through the varied scenes of a long period, would without a *single exception* not fail to involve delicate personalities and apparent if not real inconsistencies."[7]

Trist's letter had included an observation about affairs in the nation's capital. "Things are in a *dreadful* state here. The Union in imminent danger. The very devil in the heart of J. C. C. Calhoun." Soon more fuel for the flames of discord came from Thomas Dew's pamphlet from Williamsburg defending slavery. The *Liberator* was banned in southern mails, and at Montpelier a declining Madison was read the newspapers and tracts, only to be shocked by the intemperateness of both the abolitionists and slavery's supporters. The printed word, instead of improving man's understanding of his fellow man, was helping to tear the country apart. In his last written statement to the nation, Madison dictated to Dolley the "advice nearest to my heart and deepest in my convictions is that the Union of the States be cherished and perpetuated."

His eyesight was failing but Madison's mind remained sharp. His last days were spent among the things he loved most: his Dolley, his Montpelier, and his library.



27

TITLE IV.

OF THE KING.

CHAPTER I.

*Of the Inviolability of the King, and of his Authority.*

Art. 168. The person of the king is sacred and inviolable, and he can do no wrong.

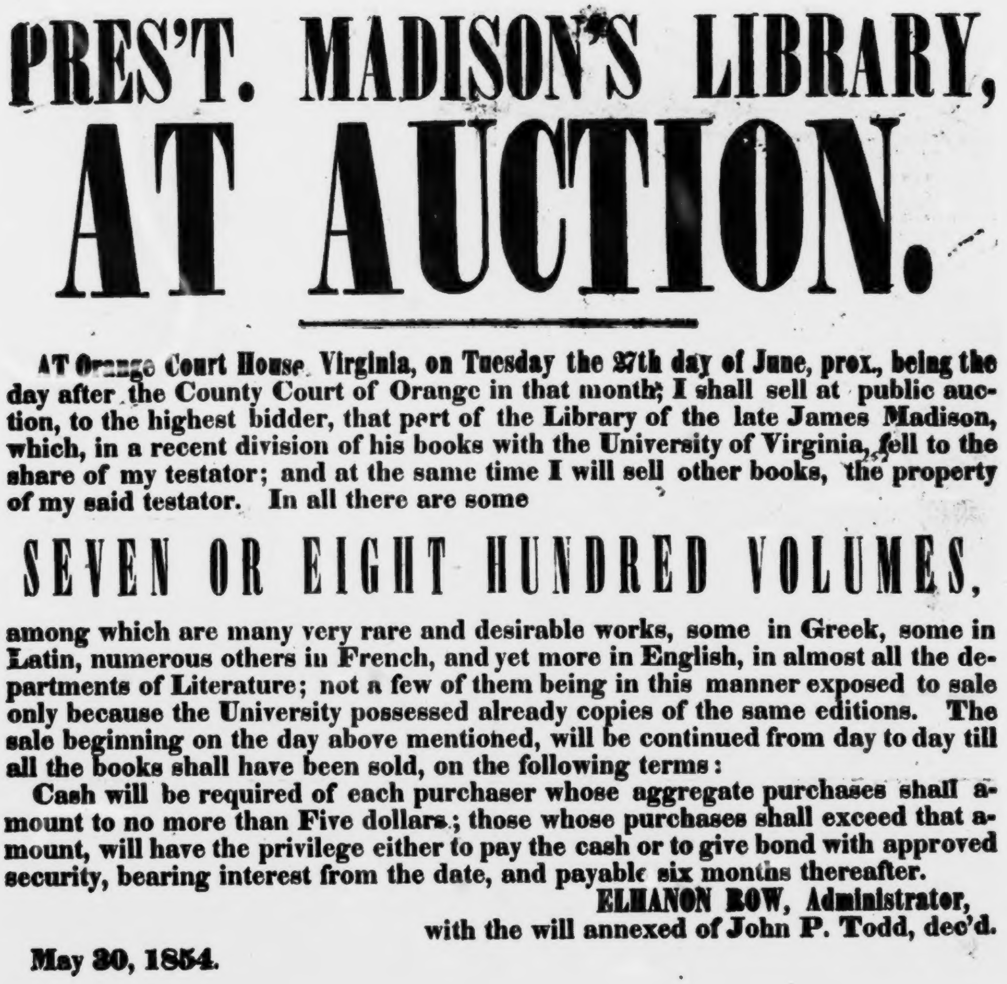
Art. 169. The king shall be styled, his catholic majesty.

Art. 170. The executive power shall be vested exclusively in the king, and his authority shall extend to all that may be conducive to the preservation of the public order and safety of the state, conformably to the constitution and laws.

Art. 171. Besides the prerogative of sanctioning and promulgating the laws, the king shall also have power—

1. To make such decrees, regulations, and restrictions as he may think necessary for the full execution of the laws;
2. To see that justice be promptly and fully administered throughout the kingdom;
3. To declare war, and make and ratify treaties of peace, laying the same afterwards with the documents before the Cortes;
4. To appoint the magistrates of all the civil and criminal tribunals, on the nomination of the council of state;
5. To nominate to all the civil and military offices;
6. To present, with the advice of the council of state, to all bishoprics, benefices, and ecclesiastical dignities of royal patronage;
7. To grant honours and distinctions of every kind, according to law;
8. To take the command of all the sea and land forces, and appoint the generals;
9. To dispose of the armed force, and distribute the same in the most convenient manner;
10. To direct the diplomatic and commercial relations with foreign powers, and appoint ambassadors, ministers, and consuls;

*A page from the work* Constitution of the Spanish Monarchy *(Philadelphia: Printed by C. Palmer, 1814), believed to have belonged to James Madison. The binding of red morocco is stamped in gold "The President of the United States" on the front cover. Rare Book and Special Collections Division, Library of Congress.*



# PRES'T. MADISON'S LIBRARY, AT AUCTION.

AT Orange Court House, Virginia, on Tuesday the 27th day of June, prox., being the day after the County Court of Orange in that month; I shall sell at public auction, to the highest bidder, that part of the Library of the late James Madison, which, in a recent division of his books with the University of Virginia, fell to the share of my testator; and at the same time I will sell other books, the property of my said testator. In all there are some

## SEVEN OR EIGHT HUNDRED VOLUMES,

among which are many very rare and desirable works, some in Greek, some in Latin, numerous others in French, and yet more in English, in almost all the departments of Literature; not a few of them being in this manner exposed to sale only because the University possessed already copies of the same editions. The sale beginning on the day above mentioned, will be continued from day to day till all the books shall have been sold, on the following terms:

Cash will be required of each purchaser whose aggregate purchases shall amount to no more than Five dollars; those whose purchases shall exceed that amount, will have the privilege either to pay the cash or to give bond with approved security, bearing interest from the date, and payable six months thereafter.

**ELHANON ROW, Administrator,**
with the will annexed of John P. Todd, dec'd.

May 30, 1854.

*Sold at auction, Madison's books were scattered among many owners. Broadside Portfolio 186, Rare Book and Special Collections Division, Library of Congress.*

## NOTES

The author wishes to express his appreciation to the American Institute of Architects Foundation for permitting the use of a research report on Madison that he prepared for the AIA in the writing of this article.

1. In his essay *The Books of James Madison* (Charlottesville: University of Virginia, 1965), Irving Brant wrote: "Nobody knows how many thousand volumes he owned, or what they were, except as casually mentioned by him in his papers."

2. Arthur Bestor et al., *Three Presidents and Their Books* (Urbana: University of Illinois Press, 1955), p. 7.

3. From the preface Jefferson wrote for a catalog, "Forming the Body of a Library at the University of Virginia." Saul K. Padover, ed., *The Complete Jefferson* (New York: Distributed by Duell, Sloan & Pearce, 1943), p. 1091.

4. For Madison's annotated list see James Madison, *Papers of James Madison,* ed. William T. Hutchinson and William M. E. Rachal (vols. 1 –7) and Robert A. Rutland et al. (vols. 8 –) (Chicago: University of Chicago Press, 1962 – 77; Charlottesville: University Press of Virginia, 1978 –), 6:62 –115.

5. Millicent Sowerby's magnificent catalog of Jefferson's library lists thirty-seven dictionaries and six lexicons. See E. Millicent Sowerby, comp., *Catalogue of the Library of Thomas Jefferson,* 5 vols. (Washington: Library of Congress, 1952 – 59), for specific titles.

6. Madison to Nicholas P. Trist, December 23, 1832, Madison Papers, Manuscript Division, Library of Congress.

7. Trist to Madison, May 8, 1832, N. P. Trist Album Book, Virginia Historical Society; Madison to Trist, May 15, 1832, Nicholas P. Trist Papers, Manuscript Division, Library of Congress.

ber 1, 1785, ibid., 8:362-63; Madison to Jefferson, May 12, 1786, ibid., 9:49-50; Madison to Jefferson, June 19, 1786, ibid., p. 77 and p. 81, n. 5.

3. On Socrates and Athens, see *The Federalist*, paper no. 55, p. 374; paper no. 63, p. 425.

4. *The Federalist*, paper no. 14, pp. 87-89.

5. The Declaration of Independence. Thomas Paine, *Common Sense*, in Thomas Paine, *The Complete Writings of Thomas Paine*, ed. Philip S. Foner (New York: Citadel Press, 1969), 1:6.

6. *The Federalist*, paper no. 14, pp. 88-89; paper no. 10, p. 65. Madison "Notes on Ancient and Modern Confederacies," April-June 1786, in Madison, *Papers*, 9:3-24 and notes.

7. Jefferson to Adams, August 30, 1787, in Lester J. Cappon, ed., *The Adams-Jefferson Letters* (Chapel Hill: University of North Carolina Press, 1959), 1:196.

8. *The Federalist*, paper no. 37, p. 238 et passim.

9. Jefferson to Madison, January 30, 1787, in Madison, *Papers*, 9:248. Madison's response to Shays's Rebellion is represented, e.g., in Madison to Madison, Sr., November 1, 1786, ibid., p. 154; Madison to George Muter, January 7, 1787, ibid., 231; Notes on Debates in Congress, February 19, 1787, ibid., pp. 276-79; Madison to Edmund Pendleton, February 24, 1787, ibid., pp. 294-95; Madison to Washington, March 18, 1787, ibid., p. 315; Madison to Jefferson, March 19, 1787, ibid., p. 321; Washington to Madison, March 31, 1787, ibid., pp. 342-43; Madison to Jefferson, April 23, 1787, ibid., pp. 398-99. See also *The Federalist*, paper no. 10, paper no. 43, and paper no. 51.

10. Jefferson to Madison, November 18, 1788, in Madison, *Papers*, 11:353. Madison's contribution to the Bill of Rights is illustrated in his speeches of June 8, 1789, August 15, 1789, and August 17, 1789, ibid., 12:193-210, 339-42, 344. Jefferson's critique of Madison's proposals apears in Jefferson to Madison, August 28, 1789, ibid., 12:363-4. Madison's critique of an earlier Jefferson argument is in Madison to Jefferson, October 17, 1787, ibid., 11:297-300.

11. Jefferson's views on the "Living Generation" appear with lengthy editorial comment in Thomas Jefferson, *The Papers of Thomas Jefferson*, ed. Julian P. Boyd (Princeton: Princeton University Press, 1950-), 15: 384-99. For Madison's critical reply of February 4, 1790, see ibid., 16:146-52.

12. Resolution of Congress, February 21, 1787, in Max Farrand, ed., *The Records of the Federal Convention of 1787* (New Haven: Yale University Press, 1966), 3:13-14.

13. Instructions to Virginia Delegates, October 16, 1786, in Farrand, *Records*, 3:559-61. For Randolph's initial view, see Randolph to Madison, March 27, 1787, in Madison, *Papers*, 9:335; for Madison's reply to Randolph, April 8, 1787, see ibid., pp. 369-71; and for the plan as presented by Randolph to the convention, May 29, 1787, see Farrand, *Records*, 1: 18-23.

14. *The Federalist*, paper no. 43, p. 297.

15. *The Federalist*, paper no. 40, pp. 264-66.

16. Ibid., p. 265.

17. Ibid., pp. 265-66.

18. See note 11.

19. The "honorable determination": *The Federalist*, paper no. 43, p. 296. For Madison's critique of Jefferson's convention scheme, see paper no. 49, pp. 338-43. The Jefferson plan apears in his "Draught of a Fundamental Constitution for the Commonwealth of Virginia," May-June 1783, published with his *Notes on the State of Virginia* and reprinted in William Peden's Norton Library edition of that work (New York: W. W. Norton, 1972), appendix no. 2, pp. 209-22.

# The Virginia Plan of 1787

## A Note on the Original Text

by Charles F. Hobson

Edmund Randolph opened the "main business" of the Federal Convention of 1787 on May 29 with a long speech followed by a series of fifteen resolutions. These introductory propositions, known as the Randolph or (more accurately) Virginia Plan, became the basis of debate during the crucial early weeks of the convention. Enlarged, revised, organized into articles, sections, and clauses, the May resolutions were transformed into the Constitution of September.

As the original outline of the American charter of government, the Virginia Plan is a document of the highest importance. A full understanding of the process of constitution-making in 1787 presupposes an accurate text of the original resolutions. It is an unfortunate fact, however, that the original draft of the resolutions, which Randolph submitted "in writing," has never been found, nor was a copy of the plan included among the official records of the convention.The draft or copies may have been among "all the loose scraps of paper" that Secretary William Jackson burned before turning the official papers of the convention over to George Washington for safekeeping. Randolph later confessed that he possessed no copy of the resolutions "except in a mutilated state."[1]

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The rule of secrecy adopted by the convention precluded a contemporary publication of the Virginia resolutions in the newspapers. Indeed, so strictly was this rule observed that no printed copies were ordered for the use of the delegates. Instead, each delegate laboriously copied the resolutions by hand. Those manuscript copies that have survived the vicissitudes of nearly two centuries provide the documentary foundation for reconstructing the original text of the resolutions. Not surprisingly, the mere act of copying produced variations. The delegates, moreover, used their copies of the resolutions with little thought of preserving the original wording. As the resolutions passed through the Committee of the Whole, the members filled in the blanks, deleted phrases, and added others. Later some of them doubtless made clean copies incorporating the changes

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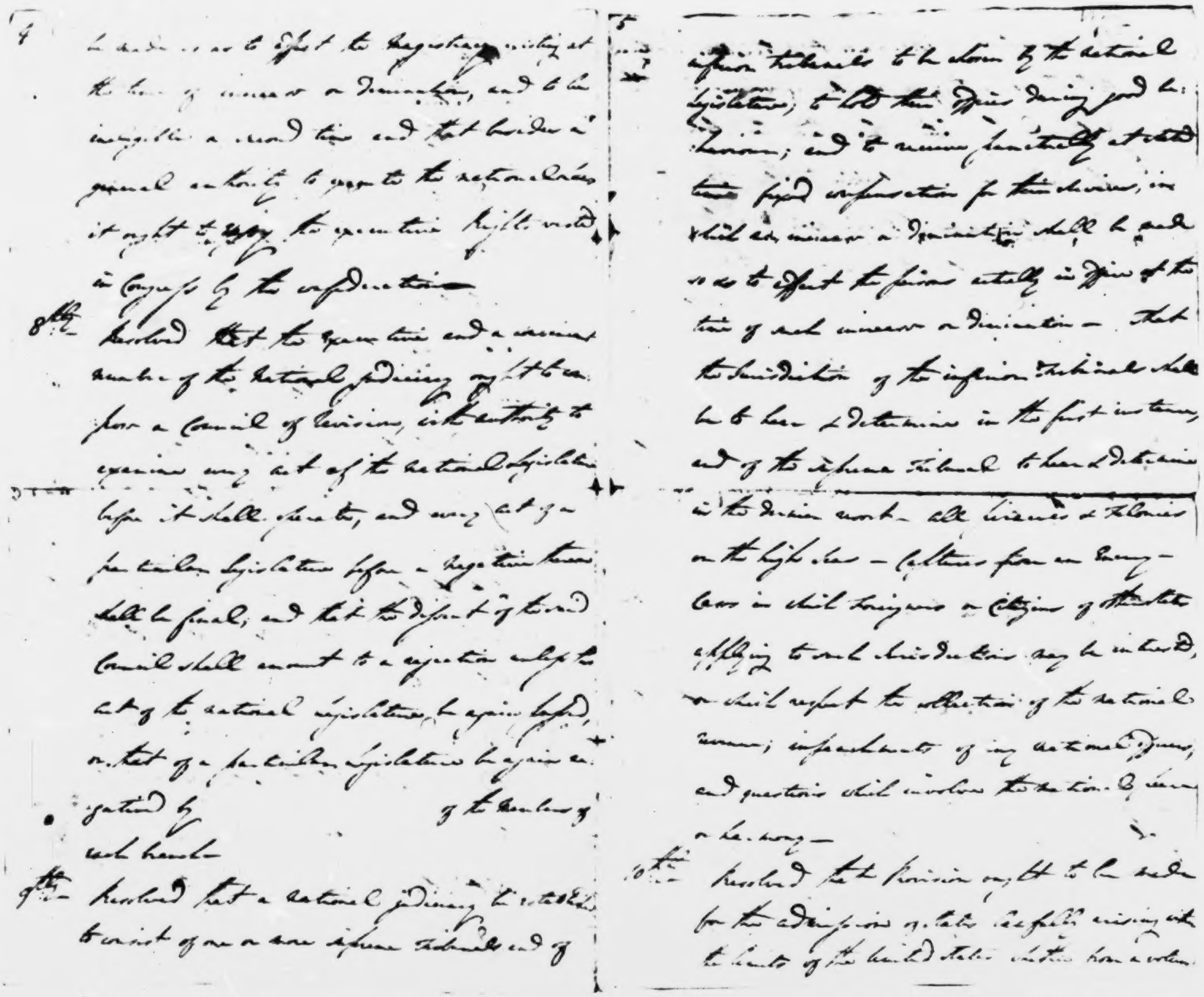


4

be made so as to affect the Magistracy existing at
the time of increase or diminution, and to be
ineligible a second time and that besides a
general authority to execute the national laws
it ought to enjoy the executive rights vested
in Congress by the confederation

8th Resolved that the executive and a convenient
number of the national Judiciary ought to com-
pose a Council of revision, with authority to
examine every act of the national legislature
before it shall operate, and every act of a
particular legislature before a negative thereon
shall be final; and that the dissent of the said
Council shall amount to a rejection unless the
act of the national legislature be again passed,
or that of a particular legislature be again ne-
gatived by          of the members of
each branch

9th Resolved that a national judiciary be established
to consist of one or more supreme tribunals and of

5

inferior tribunals to be chosen by the national
legislature, to hold their offices during good be-
haviour; and to receive punctually at stated
times fixed compensation for their services, in
which no increase or diminution shall be made
so as to affect the persons actually in office at the
time of such increase or diminution — That
the jurisdiction of the inferior tribunals shall
be to hear & determine in the first instance,
and of the supreme tribunal to hear & determine
in the dernier resort all piracies & felonies
on the high seas — captures from an enemy —
cases in which foreigners or citizens of other states
applying to such jurisdictions may be interested,
or which respect the collection of the national
revenue; impeachments of any national officers,
and questions which involve the national peace
or harmony —

10th Resolved that provision ought to be made
for the admission of states lawfully arising within
the limits of the United States whether from a volun-

*From Charles Cotesworth Pinckney's May 29, 1787, notes on the Virginia Plan, including Resolution 9. Pinckney Family Papers, Manuscript Division, Library of Congress.*

Apparently unsure of the original reading, Adams decided to omit the words "to consist . . . Legislature," substituting a blank space.[28] In Text B the ninth resolution thus begins:

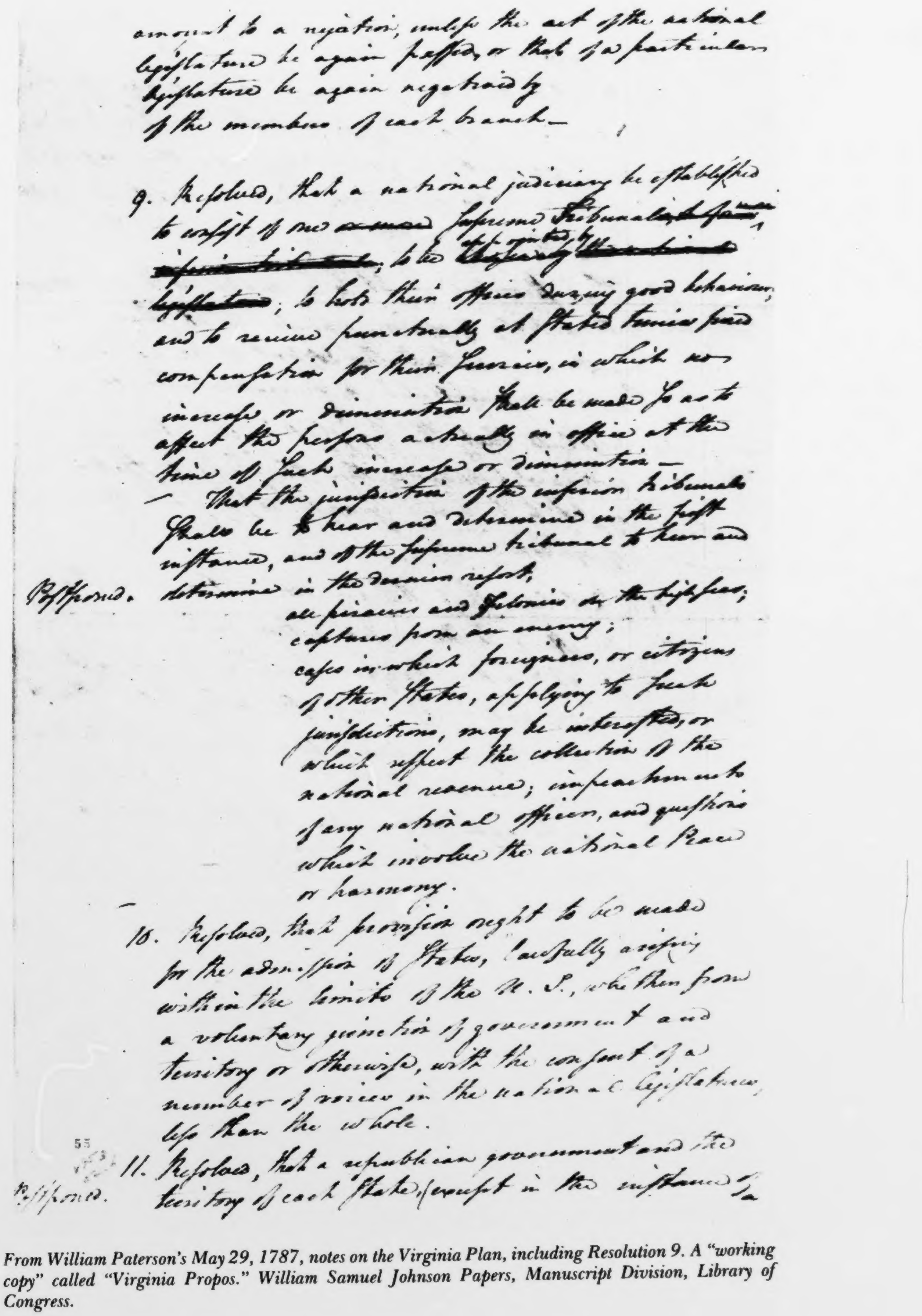
> Resolved, That a national judiciary be established [blank space of nearly a line] to hold their offices during good behaviour . . . .

This version eliminates not only Brearley's deletions, but also some of what remained. The result is confusing: the first part does not mention supreme and inferior tribunals, but the last part defines the jurisdiction of these hitherto unnamed tribunals. Jameson noted this inconsistency, but he believed Text B was closer to the original than Text A. He concluded that the last part of the resolution, defining the jurisdiction, contained too much; the correct conclusion is that something was missing from the first part of the resolution in Text B.

In Text C the ninth resolution reads:

> Resolved that a National Judiciary be established to Consist of one Supreme Tribunal, to hold their offices during good behavior [etc.]

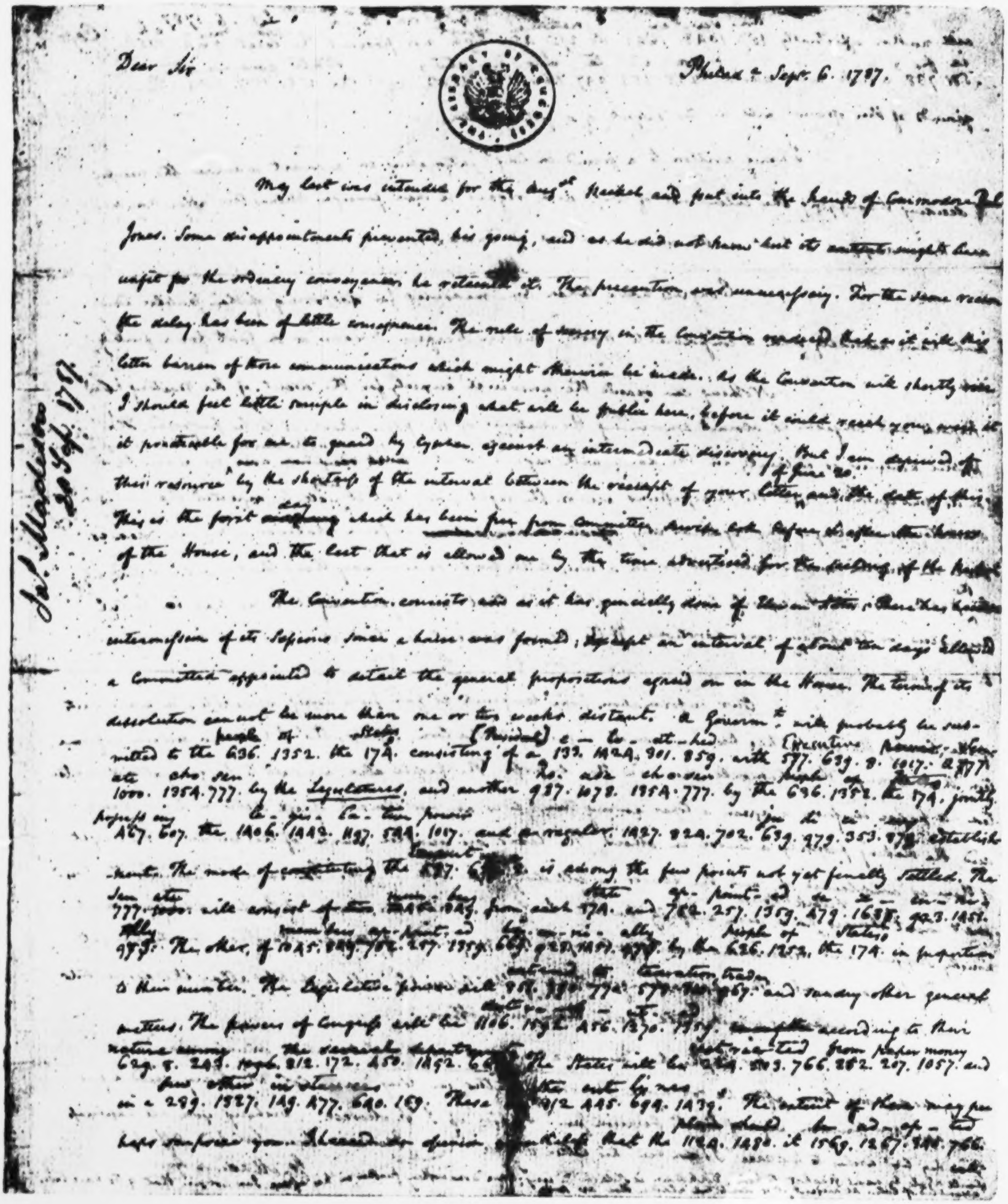
The result is again confusing: the first part provides for a supreme tribunal only, yet the jurisdiction clause refers to supreme and inferior



amount to a negation; unleſs the act of the national
Legiſlature be again paſſed, or that of a particular
Legiſlature be again negatived by
of the members of each branch—

9. Reſolved, that a national judiciary be eſtabliſhed
to conſiſt of one ~~or more~~ ſupreme Tribunal~~s, and of~~
~~inferior tribunals~~, to be appointed by ~~choſen by the national~~
~~Legiſlature~~; to hold their offices during good behaviour;
and to receive punctually at stated times fixed
compenſation for their ſervices, in which no
increaſe or diminution ſhall be made ſo as to
affect the perſons actually in office at the
time of ſuch increaſe or diminution—
— That the juriſdiction of the inferior tribunals
ſhall be to hear and determine in the firſt
inſtance, and of the ſupreme tribunal to hear and
Poſtponed. determine in the dernier reſort,
all piracies and felonies on the high ſeas;
captures from an enemy;
caſes in which foreigners, or citizens
of other States, applying to ſuch
juriſdictions, may be intereſted, or
which reſpect the collection of the
national revenue; impeachments
of any national officers, and queſtions
which involve the national Peace
or harmony.
—
10. Reſolved, that proviſion ought to be made
for the admiſſion of States, lawfully ariſing
within the limits of the U. S., whether from
a voluntary junction of government and
territory or otherwiſe, with the conſent of a
number of voices in the national Legiſlature,
leſs than the whole.
55
11. Reſolved, that a republican government and the
Poſtponed. territory of each State, (except in the inſtance of a

*From William Paterson's May 29, 1787, notes on the Virginia Plan, including Resolution 9. A "working copy" called "Virginia Propos." William Samuel Johnson Papers, Manuscript Division, Library of Congress.*



Dear Sir

Philad.a Sept. 6. 1787.

My last was intended for the Augst. Packet and put into the hands of Commodore Paul Jones. Some disappointments prevented his going, and as he did not know but its contents might be unfit for the ordinary conveyances, he retained it. The precaution was unnecessary. For the same reason the delay has been of little consequence. The rule of secrecy in the Convention rendered that as it will this letter barren of those communications which might otherwise be made. As the Convention will shortly rise I should feel little scruple in disclosing what will be public here, before it could reach you, were it practicable for me to guard by Cypher against an intermediate discovery. But I am deprived of this resource by the shortness of the interval between the receipt of your letter of June 20. and the date of this. This is the first day which has been free from Committee service, both before & after the hours of the House, and the last that is allowed me by the time advertised for the sailing of the Packet.

The Convention consists now as it has generally done of Eleven States. There has been no intermission of its Sessions since a house was formed; except an interval of about ten days allowed a Committee appointed to detail the general propositions agreed on in the House. The term of its dissolution cannot be more than one or two weeks distant. A Governm.t will probably be sub-

people of States [President] c- lo- ath- ed Executive power; Sen
mitted to the 636. 1352. the 17A. consisting of a 133. 1A2A. 901. 859. with 577. 639. 8. 1017. A777

ate cho sen Ho. use cho sen people of States
1000. 135A. 777 by the Legislatures, and another 937. 1078. 135A. 777. by the 636. 1352. the 17A. jointly

possess ing le- gis- la- tive power judi ci ary
A67. 607. the 1A06. 1AA3. 1197. 5AA. 1017. and a regular 1937. 82A. 702. 639. 979. 353. 979. establish

Executive
-ments. The mode of ~~constituting~~ the 887. 62 is among the few points not yet finally settled. The

Sen ate mem- bers State ap- point- ed se- x- en- ni-
777. 1000. will consist of two 1AA6. 0A9. from each 17A. and 782. 257. 1359. A79. 1638. 923. 1451.

ally members ap- point- ed bi- en- ni- ally people of States
977. The other, of 10A5. 8A9. 782. 257. 1359. 669. 920. 1451. 977. by the 636. 1352. the 17A. in proportion

extend to taxation trade
to their number. The Legislative power will 988. 880. 77A. 578. 789. 967. and sundry other general

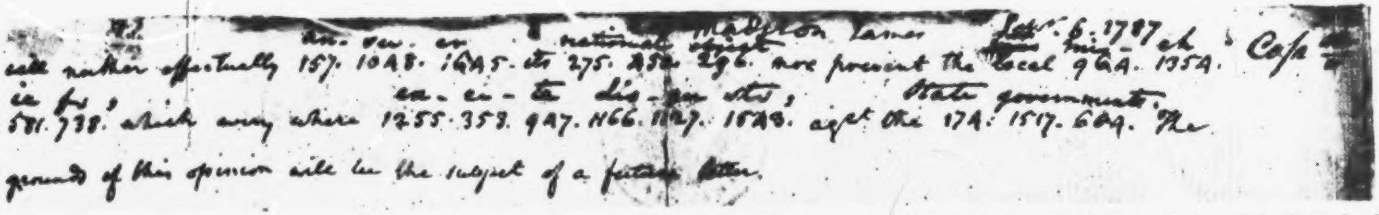
distrib- ut- ed
matters. The powers of Congress will be 1106. 1094. A56. 1370. 1359. ~~compatible~~ according to their

nature among the several departments restrained from paper money
629. 8. 243. 1096. 812. 172. A50. 1A92. 6A. The States will be 2A4. 803. 766. 862. 207. 1057. and

few other instances articles
in a 289. 1527. 1A9. A77. 6A0. 159. These 1912 AA5. 694. 1A39. The extent of them may per-

plan should be ad- op- ted
haps surprize you. I hazard an opinion nevertheless that the 112A. 1480. it 1569. 1267. 880. 766.

Jas. Madison 6 Sep. 1787



*Letter from James Madison to Thomas Jefferson, dated September 6, 1787. The end of the second paragraph reveals that Madison had reservations about the new Constitution for which he argued in* The Federalist *and in his speeches in the Virginia ratifying convention: "These are the outlines. The extent of them may perhaps surprize you. I hazard an opinion nevertheless that the plan should it be adopted will neither effectively answer its national object nor prevent the local mischiefs which every where excite disgusts against the state governments." Papers of James Madison, Manuscript Division, Library of Congress.*

anything else, produced the convention." On June 19 he said that there was "great reason to believe" that unsatisfactory state laws "had a full share in the motives which produced the present Convention." In his letter to Jefferson, October 24, 1787, he said that state encroachments on individual rights "contributed more to that uneasiness which produced the Convention" than did the "inadequacy" of the Confederation in achieving its national objects.

Madison seems to have been more fearful of state legislatures than of a national Congress because they represented fewer and less varied interests. His solution was therefore simple: let the national Congress, where there would be numerous and varied interests, have the power to veto state laws. The neutral bloc in Congress would thus serve the cause of legislative justice in the states as well as on the national level. Madison's national veto of state laws therefore had a dual purpose. Not only would it operate to prevent state encroachment on the powers and independence of the national government; it would also operate to prevent encroachments by state governments on the private property rights of individuals.

Rejection of the national veto of state laws was a disappointment to Madison. He was convinced that an opportunity had been missed for placing a check on undesirable tendencies of majority rule in the state governments. On no other topic did he argue with greater conviction, tenacity, and originality. When he came to write his long letter of October 24, 1787, in which he summarized the work of the convention for Jefferson, he devoted several pages to justifying his advocacy of the national veto; there can be no doubt that he felt its omission to be the most serious deficiency of the new Constitution.

Actually, the convention put into the Constitution several provisions which, in combination, could be interpreted to provide an approximate equivalent for what Madison was seeking. These provisions were included in article 6, which bound both *state* and federal officers to take an oath to support the U.S. Constitution and to accept as "the supreme law of the land" the U.S. Constitution, all laws made in pursuance thereof, and all treaties made under the authority of the United States; article 3, which defined the judicial power of federal courts; and article 1, section 10, which enumerated specifically what the state governments were not permitted to do.

On the basis of articles 6 and 3 it was possible for the U.S. Supreme Court to assume the power of "judicial review," that is, the power to decide whether a state law was void because it was in conflict with the U.S. Constitution, a federal law made in pursuance of the Constitution, or a treaty. Under Chief Justice Marshall the Supreme Court handed down a set of notable decisions that demonstrated the capacity of a judicial veto to accomplish the dual purpose of Madison's proposed legislative veto. By defining the limits beyond which state governments could not go without trespassing upon the delegated power of Congress, the Supreme Court was able to prevent state encroachments on federal power, and by its interpretations of section 10 of article 1 it was able to prevent state governments from encroaching upon property rights. *McCullock* v. *Maryland* (1819) and *Gibbons* v. *Ogden* (1824) are examples of cases in the first

# HISTOIRE
# DES TROUBLES
# DE
# L'AMÉRIQUE ANGLAISE,

*Ecrite ſur les Mémoires les plus authentiques;*

DÉDIÉE

**A SA MAJESTÉ TRÈS-CHRÉTIENNE;**

*Par* FRANÇOIS *SOULÉS.*

## TOME PREMIER.

*Avec des Cartes.*

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*Tros Tyriuſque mihi nullo diſcrimine agetur.*
VIRG. Æneid. lib. I.

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*A PARIS*,
Chez BUISSON, Libraire, Hôtel de Meſgrigny,
rue des Poitevins, N°. 13.

1787.

political ideas which he engrafted onto his famous Federalist Paper no. 10. Completing the list of Madison's key works were Montesquieu's *Spirit of the Laws*, and the whole raft of eighteenth-century writers who were the advance guard of modern liberalism—headed by John Locke and including Richard Hooker, James Harrington, Algernon Sidney, Edward Montagu, Cesare Beccaria, John Millar, Adam Smith, James Burgh, Richard Price, and Joseph Priestley.

Two works which Madison knew intimately are missing from his congressional list but must have been in his personal library, judging from the frequency with which he mentioned them in later writings: Jacques de Thou's *Histoire universelle* and Fortuné Barthélemy de Felice's *Code de l'humanité*. He could not have avoided listing Machiavelli's works, or Plutarch's *Lives*, or Coke's *Institutes* without shocking other committee members—although Madison tried to read Coke later at Montpelier in the winter of 1783-84 and found his *Commentarie upon Littleton* rough sledding.

The congressional list also confirms the great interest Madison and Jefferson shared in the "dead" as well as modern tongues with his blanket entry "Best latin Dictionary with best grammer & dictionary of each of the modern languages." For the next decade, a goodly portion of the books Madison added to his own collection were Greek and Latin dictionaries, a fetish perhaps owing to Jefferson's strong inclination toward such works.[5] Travel accounts and histories of the British North American colonies, along with the various statutes from each of the United States, and histories of the various Spanish American possessions closed the list. How many travel accounts were housed in Madison's personal library is a wild guess, but from his congressional report we know that he valued William Smith's *History of the Province of New York*. We know too that he later owned Antonio de Solís y Rivadeneyra's *History of the Conquest of Mexico by the Spaniards*.

Congress had no money, so the committee's list was filed and forgotten. Madison went back to Montpelier in 1783, and when Jefferson went abroad he took with him carte blanche to pick and choose the best books in Parisian stalls for his friend in Orange County. From 1785 until he came home in 1789, Jefferson was a frequent customer at the shop of J. F. Frouillé, the French bookseller whose stock of classic works on architecture, history, languages, and travel evidently dazzled the man from Albemarle County. A mere sample of Jefferson's choices for Madison reveals the breadth of their common interests—Buffon's *Histoire naturelle* and *Histoire des oiseaux* (Madison eventually had the whole fifty-seven volumes), the new *Encyclopaedia Britannica*, Lescarbot's *Histoire de la Nouvelle France* (published even before Plymouth had been settled), and François Soulé's *Histoire des troubles de l'Amérique anglaise*. These tomes, alongside the classic, calf-bound works of Aristotle, Cicero, Vergil, Titus Livicus, Pliny, and Horace which Madison owned, indicate that as a good pupil of John Robertson and John Witherspoon he could read French, Latin, and Greek as readily as English. Jefferson's purchases, when considered with Madison's sets of Abbé Mably's histories, Voltaire's *Memoirs*, and personal copies of volumes by Brissot de Warville, Chastellux, du Pont, and Crèvecoeur, make it appear likely that less than a third of Madison's personal library was printed in English. The Bible was the nucleus of most family libraries in early America and although Madison's religious ties were somewhat loose, he fell heir to the Madison family Bible (printed at Oxford in 1712) and kept records of births and deaths in it as had his father before him. The family copy of *The Book of Common Prayer* aside, there was scant space in Madison's library for the sermons, tracts, and multivolume works on religious thought which filled many shelves in the libraries of his Princeton classmates. A glaring exception was John Wesley's long *Letter to the Reverend Mr. Law* (London, 1756), but most of the pamphlets on religious subjects which he owned were donations, and Derham's *Astrotheology*—a rather prosaic work, although the title has an interplanetary sound—was probably another gift to Madison. The same can be said for the Christian Sabbath Society's tract attacking the transportation of mails on Sunday. How Madison acquired Wesley's *Letter* cannot be

*Title page from* Histoire des troubles de l'Amérique anglaise *(Paris, 1787). This copy is from the Jefferson Collection, Rare Book and Special Collections Division, Library of Congress.*

# Revolution and Founding

## On Publius-Madison and the American Genesis

### by Marvin Meyers

In 1787 the ghosts of ancient lawgivers mingled with the founders of the new American Republic. James Madison, the slight, soft-spoken, amiable Virginian with razor-edged intellect, assumed the mask of Publius Valerius Publicola—one of Plutarch's Noble Romans—as he took up his classic defense of the Philadelphia Convention. In his pages, full of sober thoughts and elegant logic, great Solon and Lycurgus talked easily with Washington and Franklin, the native deities, and with a choice company of provincial statesmen, largely young veterans of the revolutionary enterprise. Jefferson and John Adams, abroad on diplomatic missions, surely would have seasoned this dialogue of the centuries with wit and learning—although each in his way might well have hindered its completion. Jefferson's sharp doubts and demands pressed Madison hard in their long-distance correspondence, a gentle but deep-probing quarrel between affectionate friends. And Adams's ungainly book on constitutions, read or glimpsed by studious delegates on the eve of the convention, struck Madison as tedious and perverse in its rendering of shared political truths mixed with stubborn British heresies, no welcome contribution to the overburdened cause.[1]

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Confirming the bonds of past and present, Publius-Madison nonetheless coolly measured the vast distance separating his revolutionary generation from their political ancestors. Greek and Roman, Florentine, Swiss, Dutch, and English: all history often seemed to him a common graveyard of lost republican hopes, an endless tragic epitaph on human freedom. Without brave hopes, preserved in memories and monuments of human greatness from the republican past, Americans would lose a vital source of their own political vision. His model library for American statesmen, rudely rejected by the Congress in 1783, was rich in the learning of the ages from Aristotle to Locke and Adam Smith. He gladly served as Jefferson's agent in selling impatient, cost-wary Virginians on a classical design for their new capitol. Yet that memory of brightness could be silently assumed

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among convinced republicans caught up in fierce debate over the Constitution, sure, even cocksure of their ends but angrily divided over means.[2]

Without the grave warning of mortality, preserved in the ruins of fallen republics and abandoned principles of liberty, Americans would be condemned to repeat the history of political tragedy. The higher the aim, the deeper and more terrible the failure. Remembering Socrates and Athens, Publius-Madison could not help but speak of poison. America was a new world in a new age with a fresh chance to vindicate the dignity of human nature.[3]

The revolution of 1776 marked for Madison "a new and more noble course" for America and, he dared to say, "for the whole human race." From common sacrifice and common faith, a new people had arisen. Inevitably, their first experiments in government were flawed. This was a time and place for spacious thoughts and daring acts to complete the urgent task of political creation. If not six days then six months or a year would fix the shape of history. The convention of 1787 was summoned out of desperation to discover that elusive form in which the revolutionary enterprise could be secured and perpetuated.[4]

Both revolution and founding were rooted in the self-evident truths of Jefferson's world-shaking Declaration and their necessary consequence: "whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundations in such form, as to them shall seem most likely to effect their safety and happiness." For an enlightened people capable of governing themselves that choice could only be a republic, although the varieties known to history and conceivable by reason were almost infinite. Jefferson and Madison alike found these first principles of revolution and founding engrained in common sense by the "simple voice of nature and reason"—Tom Paine's familiar oracle.[5]

There simplicity ended for Publius-Madison, if not for hot-blooded Paine or—in his loftiest flights—for the sage of Monticello and illuminated Paris. The American founding project as Madison defined it in *The Federalist,* and consistently thereafter, demanded extraordinary wisdom and judgment of a half-formed provincial people who had just accomplished "a revolution which has no parallel in the annals of human society." In the face of growing instability and injustice, a novel constitutional design must provide what the sages and lawgivers of all ages had barely hinted at: "a Republican remedy for the diseases most incident to republican government." In a nation of proud states, loosely united by necessity only a dozen years or so before, an unprecedented form of union must at once avoid the harsh despotism of consolidated empires, the very cause of their revolution, and cure the fatal weakness, lethargy, jealousy, and confusion that the Disunited States of America shared with all past confederacies. The weighty volumes of history and law and politics, two trunks full of them, that Jefferson had sent from Paris to Virginia formed not so much a library as a literary morgue. And Madison's crowded notes on his studies of confederacies, written in the spring of 1786 and closely consulted in the following years, suggest the postmortem findings of a hard-bitten political pathologist. The work of political creation must begin again on new foundations.[6]

In sum, a measure of popular and local liberty such as men had rarely known and never long sustained must be reconciled with that full measure of national authority necessary to secure the rights, the safety, and the happiness of society. Only rigid one-track minds, however touched with genius, could divide the indivisible: liberty from authority, democracy from justice. Time would complete a good republican foundation or wreck a bad one. The hopeless search for unanimity, the endless quest for perfection, or mere timid indecision would lose a rare, perhaps unique moment that an age of prudence could never recall.

The founding of the American Republic might then truly seem a task for demigods. Modern republican teaching, as Madison and his countrymen understood it, made founding, on principle, the hard business of men. With mingled hopes and fears and doubts, America turned first to the chosen few of Philadelphia—"really an assembly of demigods," Jefferson wrote to John Adams from Paris, even as he damned the "abominable" secrecy of the convention debates and waited apprehensively for the results. Then, testing republican theory to its outer limits, the country followed its leaders' that had been made. These circumstances thus posed a problem, though not an insurmountable one, to later historians and editors who sought to establish the exact text of the original Virginia Plan.

The first scholar to address this problem was J. Franklin Jameson, whose essay on the Virginia Plan was one of a series of learned textual studies of the Federal Convention that he published in 1903. Jameson uncovered four different texts of the Virginia Plan. Pointing out discrepancies among them and internal inconsistencies as well, he concluded that none of these texts could claim to be an accurate copy of the original plan and that "the exact form of those resolutions can be recovered only by inference, and in one or two particulars remains uncertain."[2] This conclusion was soon disputed by Max Farrand, who maintained that James Madison had retained an accurate copy, but, as recently as 1955, Homer C. Hockett endorsed Jameson's findings. A still widely used source book contains three variant texts of the Virginia Plan, implying that none of the three is true to the original.[3]

Although the matter has remained in doubt for many years, it is possible to show that Farrand, who neglected to lay out his evidence in sufficient detail, was correct in affirming the accuracy of Madison's text of the Virginia Plan. Indeed, there are no variant texts of the plan—a comparison of Madison's with the others, when traced to their manuscript source, shows that they agree in all important respects. Jameson's carefully constructed argument collapses on a shaky foundation of printed sources. His failure to examine an important manuscript—a surprising omission in a work of textual criticism—offers an instructive lesson in how printed sources can mislead a master historian.

The first text of the Virginia Plan that Jameson considered was Madison's, which he called Text A. This is the version that Madison copied into his "Notes on Debates at the Federal Convention."[4] Jameson conceded the accuracy of Text A for all but the ninth resolution, which reads:

> Resd. that a National Judiciary be established to consist of one or more supreme tribunals, and of inferior tribunals to be chosen by the National Legislature, to hold their offices during good behaviour; and to receive punctually at stated times fixed compensation for their services, in which no increase or diminution shall be made so as to affect the persons actually in office at the time of such increase or diminution. That the jurisdiction of the inferior tribunals shall be to hear & determine in the first instance, and of the supreme tribunal to hear and determine in the dernier resort, all piracies & felonies on the high seas, captures from an enemy; cases in which foreigners or citizens of other States applying to such jurisdictions may be interested, or which respect the collection of the National revenue; impeachments of any National officers, and questions which may involve the national peace and harmony.

In this form the resolution lacks internal consistency: it designates "one or more supreme tribunals" at the beginning, but in defining the jurisdiction speaks of only one supreme tribunal. Jameson noted this inconsistency and also the improbability of the phrase "one or more supreme tribunals." Could there be more than one such tribunal? His suspicions aroused, he turned to the convention journal and found entries that seemed to indicate that the original resolution did not distinguish between supreme and inferior courts. On June 4, for example, the Committee of the Whole agreed to the first part of the ninth resolution: "that a National Judiciary be established." According to the journal, the committee then approved a motion "to add these words to the first clause of the ninth resolution namely 'to consist of One supreme tribunal, and of one or more inferior tribunals.' "[5] Jameson interpreted this motion to mean that a provision establishing supreme and inferior courts was first made on June 4 and could not have been part of the original resolution. On June 12, moreover, "it was moved and seconded to alter the resolution submitted by Mr Randolph, so as to read as follows namely, 'That the jurisdiction of the supreme Tribunal shall be to hear and determine in the dernier resort all piracies, felonies & ca.' "[6] This motion, Jameson argued, was a logical consequence of the action of June 4: having divided the judiciary into supreme and inferior courts, the committee now made the supreme court an appellate tribunal. Although he could not be certain of the exact wording of the original ninth resolution, Jameson was convinced that it con-

*From James Madison's May 29, 1787, notes on the Virginia Plan, including Resolution 9. James Madison Papers, Manuscript Division, Library of Congress.*

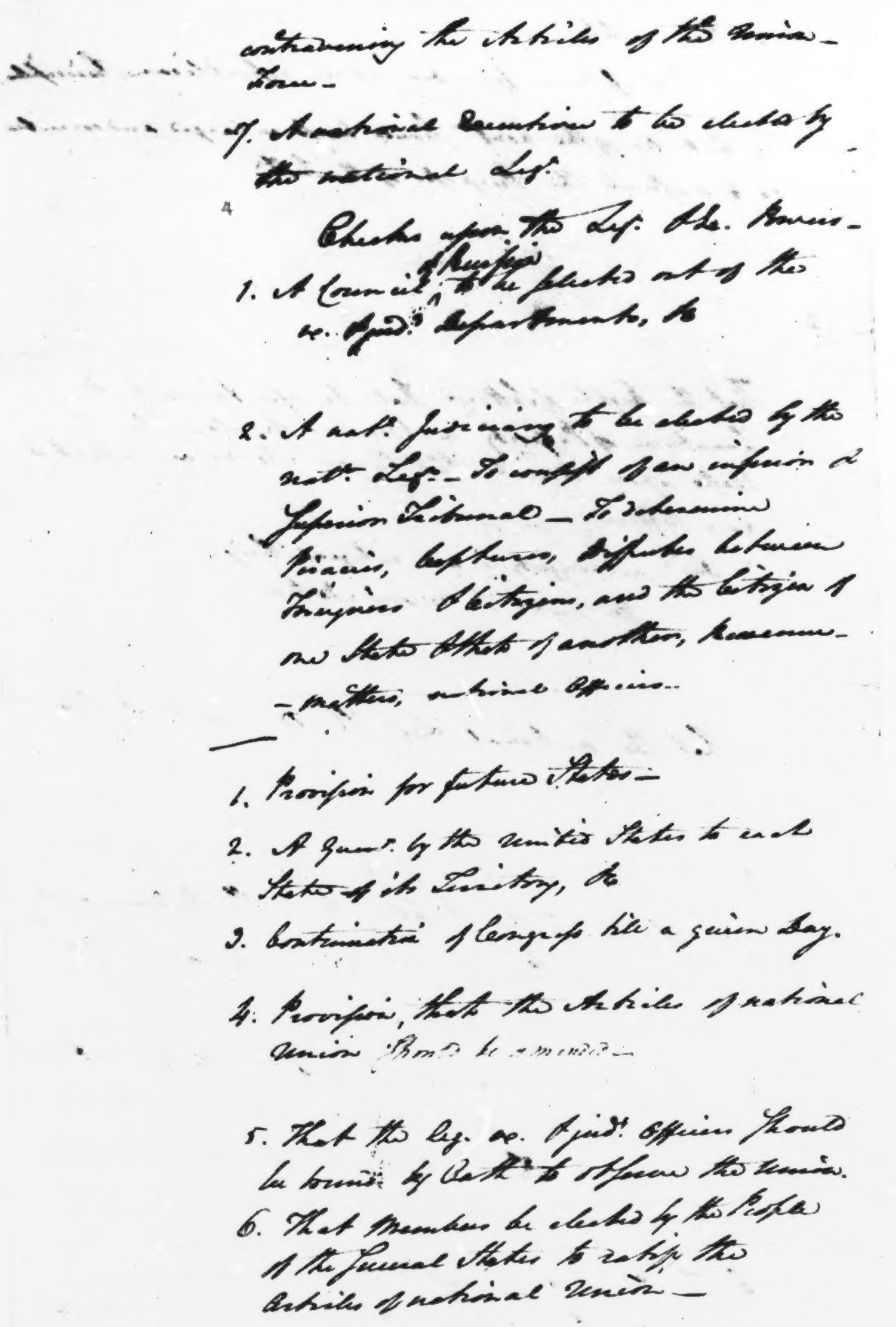
branch

9. Resd. that a National Judiciary be established to consist of one or more supreme tribunals and of inferior tribunals to be chosen by the National Legislature, to hold their offices during good behaviour; and to receive punctually at stated times fixed compensation for their services in which no increase or diminution shall be made so as to affect the persons actually in office at the time of such increase or diminution. That the jurisdiction of the inferior tribunals shall be to hear & determine in the first instance, and of the supreme tribunal to hear and determine in the dernier resort, all piracies & felonies on the high seas, captures from an enemy; cases in which foreigners or citizens of other States applying to such jurisdictions may be interested, or which respect the collection of the National revenue; impeachments of any National officers, and questions which may involve the national peace and harmony.

10. Resolvd. that provision ought to be made for the admission of States lawfully arising within the limits of the United States, whether from a voluntary junction of Government & Territory or otherwise, with the consent of a number of voices in the National legislature less than the whole.

11. Resd. that a Republican Government & the territory of each State, except in the instance of a voluntary junction of Government & territory, ought to be guarantied by the United States to each State

12. Resd. that provision ought to be made for the ~~amendment of the Articles of Union whensoever it shall seem necessary, and that the assent of the National Legislature ought not to be required thereto~~. continuance of Congress and their authorities and privileges, until a given day, after the reform of the articles of Union shall be adopted, and for the completion of all their engagements.



contravening the Articles of the Union—
Force—

7. A national Executive to be elected by the national Leg.

Checks upon the Leg. & Ex. Powers—

1. A Council of Revision to be selected out of the ex. & jud. Departments, &c

2. A nat. Judiciary to be elected by the nat. Leg.—To consist of an inferior & supreme Tribunal—To determine Piracies, Captures, Disputes between Foreigners & Citizens, and the Citizen of one State & the Citizen of another, Revenue-matters, national Officers—

1. Provision for future States—
2. A Guarant. by the united States to each State of its Territory, &c
3. Continuation of Congress till a given Day.
4. Provision, that the Articles of national Union should be amended—
5. That the leg. ex. & jud. Officers should be bound by Oath to observe the Union.
6. That Members be elected by the People of the several States to ratify the Articles of national Union—

*From William Paterson's Federal Convention Notes for May 29, 1787. William Paterson Papers, Manuscript Division, Library of Congress.*

tribunals. Jameson rightly dismisses the claim of Text C, which reproduces the corrected Brearley copy, to represent the original, but his discussion of this text lapses into a series of irrelevancies. He carefully demonstrates that parts of five resolutions in Text C could not have been in the original draft of the Virginia Plan. A glance at the Brearley manuscript, however, shows at once that these additions (except for that in the sixth resolution, discussed above) are clearly distinguishable from the original text. It did not occur to Jameson, having rejected the printed text, to look at the manuscript on which Text C is based. The variant readings of the ninth resolution in Texts A, B, and C, coupled with the ambiguous testimony of the journal, led him to suspect that none of these texts was correct. If he had consulted the Brearley manuscript, Jameson no doubt would have immediately discarded his hypothesis. He would have seen that the printed Texts B and C are derived from a manuscript that agrees with Text A.

## NOTES

1. Max Farrand, ed., *The Records of the Federal Convention of 1787*, rev. ed., 4 vols. (New Haven: Yale University Press, 1937 [orig. publ. 1911]), 1:16 and n. 3; 3: 82; Edmund Randolph to James Madison, September 26, 1789, Madison Papers, Manuscript Division, Library of Congress.

2. J. Franklin Jameson, "Studies in the History of the Federal Convention of 1787," *Annual Report of the American Historical Association for the Year 1902*, 2 vols. (Washington: American Historical Assn., 1903), 1:103–11, quotation at 111.

3. Farrand, *Records*, 3:593–94; Homer C. Hockett, *The Critical Method in Historical Research and Writing* (New York: Macmillan, 1955), pp. 34–39; Charles C. Tansill, ed., *Documents Illustrative of the Formation of the Union of the American States* (Washington: Library of Congress, 1927), pp. 953–63.

4. There are a number of printed editions of Text A, each of which accurately reproduces Madison's manuscript copy. See, for example, Farrand, *Records*, 1:20–22; James Madison, *Writings of James Madison*, ed. Gaillard Hunt, 9 vols. (New York: G. P. Putnam's Sons, 1900–1910), 3:17–21; James Madison, *Papers of James Madison*, ed. William T. Hutchinson and William M. E. Rachal (vols. 1–7) and Robert A. Rutland et al. (vols. 8–) (Chicago: University of Chicago Press, 1962–77; Charlottesville: University Press of Virginia, 1978–), 10:15–17; Department of State, Bureau of Rolls and Library, *Documentary History of the Constitution of the United States*, 5 vols. (Washington, 1894–1905), 3:17–20.

5. Farrand, *Records*, 1:95.

6. Ibid., p. 211.

7. Jameson, "Studies," pp. 105–7.

8. Farrand, *Records*, 3:594.

9. Ibid., 1:118.

10. Summarizing the Virginia resolutions, Paterson wrote: "A natl Judiciary to be elected by the natl. Legr.—To consist of an inferior and superior Tribunal." Ibid., p. 28.

11. George Washington Papers, Manuscript Division, Library of Congress. At the top of the first page Washington wrote: "Copy of the original plan for a new Government as given into Convention by the State of Virginia."

12. James McHenry Papers, Manuscript Division, Library of Congress.

13. Pinckney Family Papers, Manuscript Division, Library of Congress. Endorsed by Pinckney: "Resolutions proposd May 29. 1787 by his Excellency Govr. Randolph of Virginia for Consideration."

14. National Archives, RG 360, Records of the Constitutional Convention of 1787 (available on microfilm, Microcopy No. 866).

15. John Dickinson Papers, Library Company of Philadelphia. At the top of the first page Broom wrote: "Resolutions offered by Mr. Randolph in Convention May 29th 1787."

16. Joseph R. Strayer, ed., *The Delegate from New York* (Princeton: Princeton University Press, 1939), pp. 113–18. The manuscript of Lansing's notes on the Convention of 1787 was in the hands of descendants when Professor Strayer edited it for publication in 1939. The present location of the manuscript is unknown. Professor Strayer fortunately had photostats made of Lansing's notes. I am grateful to him for sending me copies of the sheets containing the Virginia Plan.

17. One is in the William Samuel Johnson Papers, Manuscript Division, Library of Congress; it is endorsed: "Virginia Propos." The other belongs to the William Paterson Chapter, Daughters of the American Revolution, Paterson, N.J. A photostat of this copy is in the William Paterson Papers, Manuscript Division, Library of Congress.

18. McHenry's copy has the plural "supreme tribunals" in both places.

19. McHenry almost certainly made his copy contemporaneously with the introduction of the Virginia resolutions. He copied them into his bound diary of the convention immediately following his report of Randolph's May 29 speech. Called away by the dangerous illness of his brother, McHenry left the convention on June 1 and did not return until August. Farrand, *Records*, 1:27, 75; 3:589. Broom's copy has a few interlineations and marginal insertions in the hand of John Dickinson. The Paterson fair copy is the one

category; *Fletcher* v. *Peck* (1810) and the Dartmouth College case (1819) are examples of cases in the second category.

The men at Philadelphia respected delegate Madison. They appreciated the propriety of his manners, the benignity of his virtues, and the virtuosity of his argumention; they made use of his vast erudition; they were provoked to think more profoundly by his singular proposals; and they sympathized with his concern to protect property rights against the threats of anarchy, autocracy, and democracy alike. But they were not converted to vote for what he championed most earnestly; they rejected his pleas for the congressional veto of state laws, for representation in both houses of Congress in proportion to population, and for popular election of senators.

Madison was not identified with what emerged from the convention as the most distinctive and novel features of the new union, and he was a staunch adversary of two of them. He was not a member of the committee that reported the "Great Compromise," by which the smaller states accepted representation according to population in the House in return for equality of representation in the Senate, and he spoke and voted against its recommendation. The ingenious combination of provisions that made possible a judicial veto of state and federal laws was not the product of his thinking, and he seems to have completely missed its significance.

Early in the convention the proposal of the Virginia Plan to grant an explicit power to coerce the states was rejected in favor of the implied power of enforcing federal laws against individuals. This method of achieving enforcement without the continuous threat of civil war and which had never been tried before by previous confederations was readily and enthusiastically accepted by Madison. It was the only original feature of the new union that received his wholehearted and unreserved endorsement.

The exalted title "Father of the Constitution" exaggerates Madison's influence at Philadelphia. The Constitution that was finally approved in September 1787 was more at variance with his thinking than with that of a majority of the delegates. The great compromises of the convention, so indispensable to its success, cannot be attributed to him, and he neither originated nor provided arguments for what later came to be thought of as the most ingenious features of the new federal union. His Virginia Plan was a text for debate that gave the initiative to the advocates of enlarged national powers, but it was not used as a blueprint by the men who completed the final structure. Nor is there any evidence that he was the supreme commander to whom the nationalists at the convention looked for direction in their maneuvers.

Madison's failures to shape the Constitution can be described more exactly than his successes. In the final reckoning, one must conclude that his great contribution at Philadelphia rests upon a presumption, namely, that his initiative and dogged persistence in presenting an unyielding case for strong powers lodged in a national government elected by popular vote probably caused the convention to incorporate a larger measure of national power and popular control in the compromises than it would have if no one of his great talents had assumed the role of perservering champion of the more extreme position.

No one delegate had a pervasive influence upon the Constitution, and of the men who first introduced proposals subsequently adopted by the convention or who were most active in debate, perhaps a dozen in number, no one can be cited as significantly more successful or convincing than the others. The Constitution was, as Madison himself wrote many years later, "not the offspring of a single brain" but the "work of many heads and many hands." However, if to his role at Philadelphia are added his contributions to ratification, to adoption of the first ten amendments, to passage of basic legislation in the first Congress, and to the historiography* of the convention, Madison's place among the Fathers of the Constitution is singularly preeminent.

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*Madison went to Philadelphia with a determination to provide posterity with the first complete record of the establishment of a new government. Not absent from the convention a single day and taking a seat where he could hear all the speakers, he noted in abbreviated form what was said. After adjournment, almost every day, he wrote up a fuller text of the debates. His reports of the convention proceedings were first published in 1840 and still remain the main source of information for what was actually said by the various delegates.

# The Coming of the War of 1812

## The View from the Presidency

### by J. C. A. Stagg

The War of 1812 was the climactic event of the first administration of James Madison, but the fourth president's role in the events that led up to its declaration has never ceased to puzzle historians. Despite all the effort that has gone into the study of the diplomatic and political history of the early Republic, historians are little more agreed today on how to explain Madison's conduct than were most of his contemporaries. Observers of the president during his lifetime and since have either seen a weak executive who failed to master the diplomatic and political complexities of his times and was thus swept along by events beyond his control, or they have described a more purposeful leader who consciously, perhaps even willfully, guided the United States into war with Great Britain. Neither argument, however, does justice to the complexity of the subject. The notion that Madison was a masterful chief executive is frequently belied by the undeniable diplomatic and political embarrassments that he experienced, and it cannot always be argued that the president bore no responsibility for these. Yet the view of Madison as an ineffective president who could not control events has never harmonized very easily with another image of Madison that is enshrined in American historiography—that of the able and astute politician of the 1780s and 1790s who played such a considerable role in the making of the Constitution and in shaping the political and diplomatic strategies of the Republican party. In fact, it might be wondered if these two images can fairly be regarded as belonging to one and the same person.[1]

In truth, Madison as president did not abandon those attributes which most historians believe served him so well before 1800, and there remain many insights on his political career that can be derived from treating it in terms of its overall consistencies rather than by merely contrasting the presidential years unfavorably with those that preceded them. Madison, it should never be forgotten, always attempted to apply a

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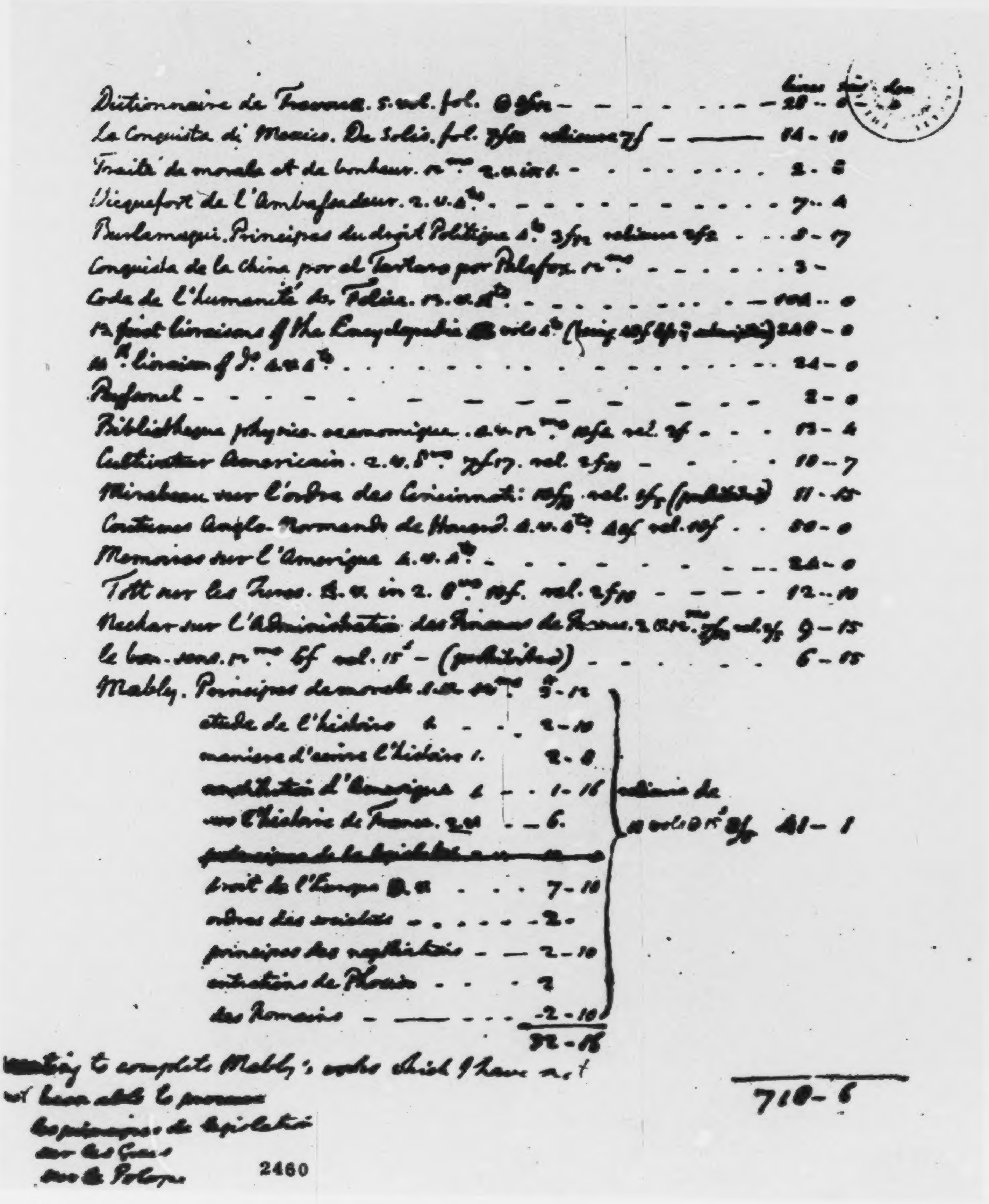
J. C. A. Stagg, senior lecturer in history at the University of Auckland, in Auckland, New Zealand, was the first recipient of the J. Franklin Jameson Fellowship in American History, jointly supported by the Library of Congress and the American Historical Association, and was in residence at the Library of Congress from September 1978 to May 1979. Author of a prizewinning article in the field of American diplomatic history, he is currently writing a book on the War of 1812.



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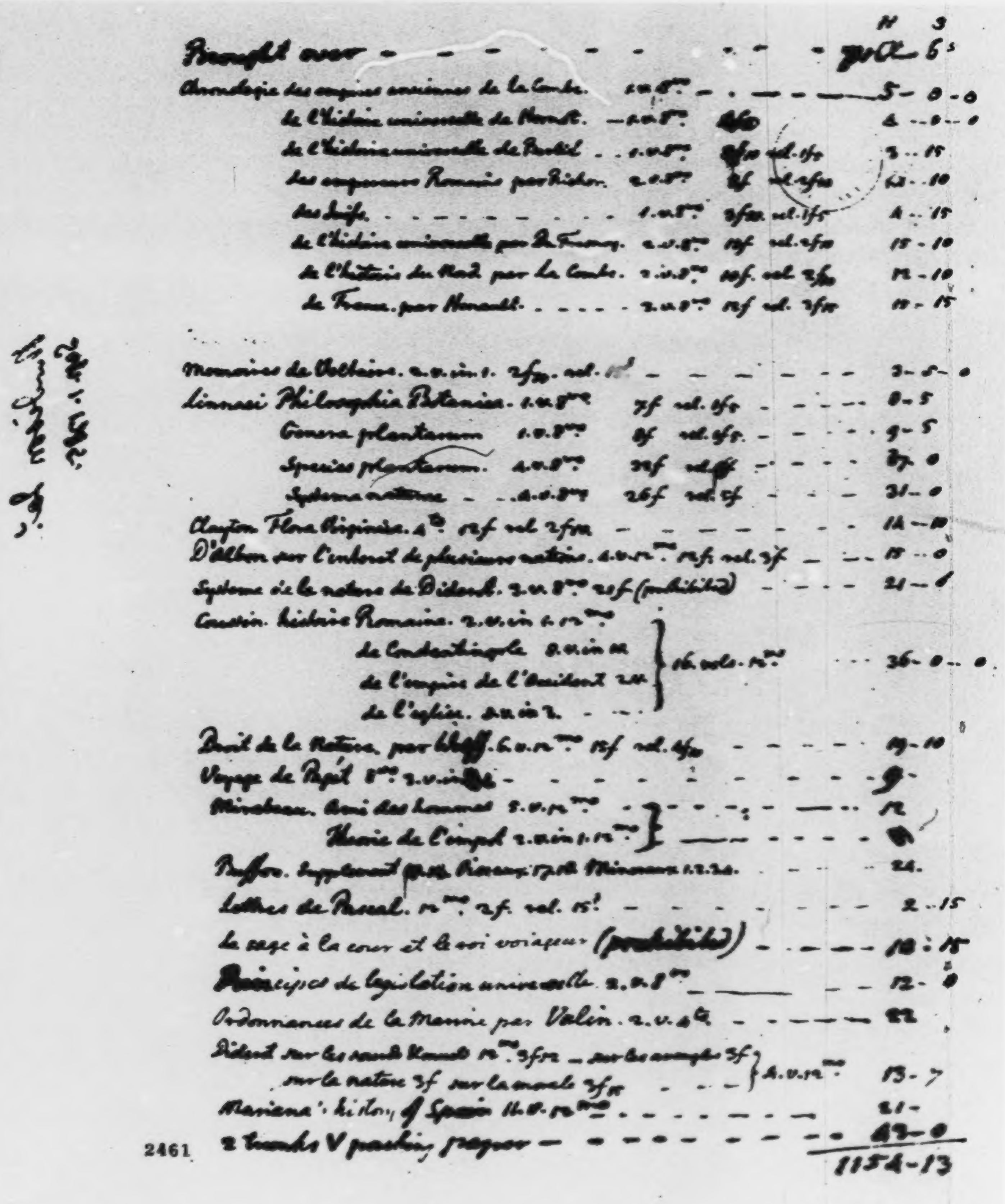

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*"I have at length made up the purchase of books for you, as far as it can be done for the present. The objects which I have not yet been able to get, I shall continue to seek for. Those purchased, are packed this morning in two trunks, and you have the catalogue & prices herein inclosed." So wrote Jefferson to James Madison, from Paris, on September 1, 1785. Jefferson Papers, Manuscript Division, Library of Congress.*

counsel to summon broadly representative state ratifying conventions with strong, contentious minds of their own to pass final judgment. The wisdom of the founders must become the opinion of the people.[7]

Meeting from day to day, reasoning and speechifying, threatening and cajoling, bargaining and managing, often looking over their shoulders into the hard eyes of constituents, sometimes looking beyond the horizon to the approving judgment of posterity, these conventions first and last must resolve inevitable conflicts of interest and opinion by that most demanding of political methods, deliberation and consent. Force and accident and passion had always ruled the history of founding. Now moderation, first and rarest of political virtues for Madison, must assert its mastery. In the end, the ancient way of calling on the gods for guidance and sanction seemed not so strange to Publius-Madison. If against such overwhelming odds a worthy republican constitution should be formed and established in America, he wrote, men of pious reflection might reasonably discern in this at least "a finger of that Almighty hand which has been so frequently and signally extended to our relief." "Nature's God"—the Creator and Lawgiver of Jefferson's Declaration—descending over Madison's Philadelphia in another time of peril and decision assumed a striking resemblance to the God of Scripture, watching over His newly chosen people.[8]

Madison's contribution to *The Federalist* presents an extended commentary on the complex problems of founding that follow from the simple principles of nature and reason. At the threshold of the work he had to face a profound dilemma. In principle, the right of the people to institute new government is joined inseparably to their right to alter and abolish old government. In fact, America had turned immediately from revolution to founding in the midst of war, and within a few troubled years confronted once again the task of dissolving and new-modeling the regime.

The bloody history of past republics taught Madison and his allies the grave risk of entering a perpetual cycle of political creation and destruction, leading inexorably toward tyranny and injustice. There was simply nothing polite for Madison to say to friend Jefferson's cheerful inquiries and reflections on the recent armed rising in central Massachusetts in a Paris letter of January 30, 1787: "I hold it that a little rebellion now and then is a good thing, & as necessary in the political world as storms in the physical." Glimpsing the spectre of anarchy and agrarian injustice looming over the land, Madison voted firmly for congressional support of the lawful Massachusetts authorities, although with Washington and others he wished that they would temper severity with generosity and a grain of common sense in their punishment of the defeated rebels. On the other hand, the history of confederacies past and present taught Madison equally the perils of inertia: of neglecting the radical reform of radically deformed regimes, inviting domestic paralysis and foreign domination. How then could he defend the unprecedented work of revolutionizing the political order without either breeding chaos or abandoning the fundamental and inalienable right of the people to make and unmake the laws?[9]

Madison's subtle interweaving of founding prudence with founding right offers a revealing introduction to the mind of Publius and, beyond that, to the mind of the revolutionary generation and the meaning of the Constitution. Jefferson, retreating step by grudging step from his strong initial doubts about the republican purity of the Constitution as Madison's irresistibly persuasive letters and essays slowly crossed the Atlantic, surely exaggerated greatly, but in the right direction, when he pronounced *The Federalist* "the best commentary on the principles of government which ever was written." Such an illuminating work, he wrote his most respected and esteemed friend, could not have borrowed much from Hamilton or Jay, the other hands of Publius. It was high praise indeed, in modest dress, to say: "I confess it has rectified me in several points." And it is only just to add the educated guess that Jefferson's insistent arguments for introducing the missing Bill of Rights, whatever the difficulties of accurate formulation and effective enforcement, helped to move the Father of the Constitution to become, more literally if less creatively and wholeheartedly, the father of the ten amendments in the first Congress. More compelling than Jefferson's reasoning, I suspect, with its

J. Shury & Son Sculp.

Thomas Paine

*It is wrong to say that God made Rich and Poor; he made only Male and Female; and he gave them the earth for their inheritance*

*Agrarian Justice.*

single-minded emphasis on liberty at any price, was the swelling chorus of demands from all America, not least the querulous voters of Madison's Orange County and vicinity. Significantly, Madison would discard some of Jefferson's favorite proposals for amendments (on standing armies, habeas corpus, monopolies, and rotation in office), while trying valiantly but unsuccessfully to add a shocking prohibition that Jefferson had not dreamed of: the federal protection of the rights of conscience, press, and jury trial against *state* violation.[10]

As men continue to think of revolutions and conventions and constitutional amendments, the powerful teaching of Publius-Madison should not be forgotten or twisted or casually traded for the latest truth on the subject: Jeffersonian doctrine reflected darkly in a modern glass. He left ample room for succeeding generations to draw new understanding from experience, according to their need and capacity, and embody it in fundamental law. Yet he hoped, perhaps prayed that they would do so, not as Jefferson's ingenious statistical creation, the "living generation" succeeding to sovereignty every nineteen years by grace of Buffon's actuarial tables, was encouraged to do, striking off the dead hand of the past. Rather, Publius-Madison hoped that his successors would discover a measure of the political understanding and judgment, of those precious virtues, prudence and moderation, of deep-rooted loyalty to the laws and institutions of their own making, in brief, of those qualities of mind and character and spirit without which the right of founding would destroy its own ends.[11]

* * *

Publius-Madison's view of revolution and founding was formed less by curious study or detached speculation than by the heavy pressure of events, the give and take of hot debate over the convention and the Constitution. Although he had labored mightily for reforms in the Confederation since 1780, the final movement for a grand convention seemed almost to catch him by surprise. The makeshift, straggling Annapolis Convention of 1786 did little to raise his hopes, and when its call for a real constitutional convention was heeded unexpectedly by Congress and the states, Madison still felt deep doubts even as he began to plan and prepare in his characteristically thorough way. This was no visionary waiting with his system and his book for the call of history. Indeed, Madison's Antifederalist adversaries often dictated the course of argument, expressing as they did the doubts and fears that sprang from common habit, custom, creed, opinion, and prejudice. The scene was set for Publius-Madison's discussion of founding in the early spring of 1787.

Patrick Henry, it was said, smelled a rat in Philadelphia and stayed home to prepare an ambush for any subversive plan that might come forth from the convention. Madison, Washington, and all their Virginia friends alternately ground their teeth and trembled whenever they tained no reference to supreme and inferior courts.[7]

Even without the evidence of the surviving manuscript copies—all of which agree with Text A's wording of the ninth resolution—one can show that Jameson's inferences from the journal entries of June 4 and 12 were mistaken, or at least that more plausible inferences may be drawn. Jameson assumed that the phrase "one or more supreme tribunals" was an obvious error. Yet the Virginians may have meant superior rather than supreme and contemplated more than one such court on the federal level. Their own court system consisted of four superior courts: the General Court, the Court of Admiralty, the High Court of Chancery, and the Court of Appeals. Whether this was their intention remains uncertain, for the jurisdiction clause specifies one "supreme tribunal." Perhaps the motion of June 4 was intended to remedy this inconsistency by stipulating one supreme court and transposing the words "one or more" before "inferior tribunals." Since the wording of the June 4 motion is slightly different from that in the clause of Text A, the phrase "to add," as Farrand noted, was used instead of "to accept" or "to agree to."[8] Jameson maintained that the clause in Text A was a garbled version of the June 4 motion.

There is also a simpler explanation than Jameson's for the Committee of the Whole's motion of June 12. Jameson quoted this motion as proof that the first mention of supreme court jurisdiction did not occur until that date and therefore the jurisdiction clause in Text A embodied this later motion. The June 12 motion, however, concerned only the jurisdiction of the supreme court. Jameson did not explain how the reference to the jurisdiction of the inferior courts had crept into Text A. If we assume that the original ninth resolution did define the jurisdiction of both the supreme and inferior tribunals, then the action of the committee on June 12 makes sense in light of what had happened on June 5. On the earlier day the delegates struck out the constitutional provision for inferior tribunals, leaving it to the discretion of the national legislature to provide for them.[9] It accordingly became necessary to delete the reference to inferior tribunals in the jurisdiction clause of the ninth resolution. This was the purpose of the June 12 motion. Jameson drew his conclusion about that motion without referring to the decision of June 5 to eliminate inferior courts.

Jameson based his argument on journal entries of June 4 and 12, but those entries are not inconsistent with the assumption that the ninth resolution as presented on May 29 provided for both supreme and inferior courts. That this is the correct assumption is indicated by the notes of William Paterson for May 29, a source apparently unknown to Jameson at the time.[10] But the most persuasive evidence supporting Text A's version of the ninth resolution is to be found in the surviving manuscript copies of the Virginia Plan. In addition to the copy made by Madison, Text A, now at the Library of Congress, there are at least eight other extant copies of the plan in the hands of delegates who attended the 1787 Convention: one each by George Washington,[11] James McHenry,[12] Charles Cotesworth Pinckney,[13] David Brearley,[14] Jacob Broom,[15] and John Lansing,[16] and two by William Paterson.[17] In each of these the wording of the ninth resolution agrees with that of Text A.[18] Some of these copies are obviously "fair" copies, free of any deletions, marginalia, or interlineations, and may have been made at a later time. The fair copies are those of Washington, McHenry, Pinckney,[13] David Brearley,[14] Jacob Broom,[15] though it is possible that the text of the ninth resolution in each of these copies is corrupted by later changes, as Jameson claimed was true of Text A, none of the fair copies, except Paterson's, incorporates changes made in any of the other fourteen resolutions. The strong presumption is that they accurately reproduce the original wording of the ninth resolution. In order to allow for the remote possibility that they do embody later alterations in the ninth resolution, however, the fair copies will not be used to prove the accuracy of Text A.[19]

The only manuscript that Jameson examined was Paterson's fair copy, which he called Text D. Because this text includes changes made by the

*From George Washington's May 29, 1787, notes on the Virginia Plan, including Resolution 9 (p. 206). Called "Copy of the original plan for a new Government as given into Convention by the State of Virginia." George Washington Papers, Manuscript Division, Library of Congress.*

# Copy of the original plan for a new Government as given into Convention by the State of Virginia

1 Resolved, that the articles of the Confederation ought to be so corrected and enlarged, as to accomplish the objects proposed by their institution; namely "common defence, security of liberty & general welfare"

2 Resolved therefore, that the rights of suffrage in the National legislature ought to be proportioned to the quotas of contribution, or to the number of free Inhabitants, as the one or the other rule may seem best in different cases.

3 Resolved that the national legislature ought to consist of two branches

4 Resolved that the members of the first branch of the National legislature ought
To be elected by the people of the several States every      for the term of
To be of the age of      years at least
To receive liberal stipends, by which they may be compensated for the devotion of their time to public service.
To be ineligible to any office established by a particular State, or under the authority of the United States, (except those peculiarly belonging to the functions of the first branch) during the term of service and for the space of      years after its expiration.
To be incapable of re-election for the space of      years after the expiration of their term of service. — and
To be subject to recall.

5. Resolved that the members of the second branch of the National legislature ought to be elected by those of the first;
Out of a proper number of persons nominated by the individual legislatures
To be of the age of      years at least.
To hold their offices for a term sufficient to insure their independency
To receive liberal stipends, by which they may be compensated for the devotion of their time to public service. — and
To be ineligible to any office established by a particular State or under the authority of the United States except those peculiarly belonging to the functions of the second branch) during the term of service, and for the space of      after the expiration thereof.

6 Resolved that each branch ought to possess the right of originating acts — That
The national legislature ought to be empowered
To enjoy the legislative powers vested in Congress by the Confederation; & moreover
To legislate in all cases, to which the separate States are incompetent, or in which the harmony

held by the Paterson Chapter of the DAR (see n. 17).

20. At the time Jameson examined it, this copy was owned by a descendant, Emily K. Paterson, of Perth Amboy, N.J. Jameson, "Studies," pp. 110-11.

21. In the William Samuel Johnson Papers, Manuscript Division, Library of Congress.

22. His text of the seventh resolution embodies the additions made on June 1 and 2. Strayer, *Delegate from New York,* p. 115.

23. Farrand, *Records,* 1:47.

24. Paterson's fair copy also has a space before "inferior tribunals," but none of the other surviving copies has such a space.

25. Jameson, "Studies," p. 109.

26. *Journal, Acts and Proceedings of the Convention* . . . (Boston, 1819), pp. 67 –70; *Documentary History of the Constitution,* 1:329–32.

27. Adams noted that among Brearley's papers that had been turned over to the Department of State "were several very important ones relating to the proceedings of the Convention." Farrand, *Records,* 3:431.

28. In the Brearley manuscript there are brackets around the words Adams omitted.

# James Madison

## Father of the Constitution?

### by Harold S. Schultz

James Madison's name probably has popular renown today because of its listing among the American presidents; but it is for his work in framing, ratifying, amending, and interpreting the United States Constitution that historians praise his leadership. As "Father of the Constitution" Madison was able to gain a reputation for statesmanship that is almost impossible to achieve in legislation alone.

Madison never commanded the great popularity and reverence of George Washington, but those who knew him intimately or at close range were invariably impressed by his courtesy, diligence, patience, and selflessness; it would not be amiss to say that his fine character was an equal to Washington's and that it functioned to the nation's advantage in the legislative branch as Washington's did in the executive.

Madison was also endowed with a brilliantly versatile mind. Original, creative, and independent in his thinking, he could theorize, analyze, and construct; could assimilate the meaning of past political experiences and institutional developments, could diagnose the strengths and weaknesses in contemporary institutions, could analyze and estimate current political alignments and forces and their probable combinations, and could gather facts and marshall arguments for public debate.

Men of intellectual genius are rarely suited for parliamentary maneuver and for playing the role of the negotiator or conciliator. Such men too often repel, because their ideas appear unintelligible, futile, or plain boring to all except the most intelligent few. And because their minds form ideas early in a controversy, compromise may be more difficult for them than for those for whom acceptance of ideas from others does not involve displacement of well-defined opinions of their own. Then too, they may exhibit offensive manners that are often derivative of outstanding mental abilities; they may be conceited about their intellectual accomplishments, condescending toward the mediocre, or impatient with slower minds.

Ordinarily we expect that a man of Madison's mental qualities will play the role of conceiving and expounding ideas and that others of a different cast of mind will serve as the middlemen to combine parts selected from competing proposals to form an acceptable compromise. And to be sure Madison was outstanding because of his initiative in advancing and defending his

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Harold S. Schultz is professor of history at the University of Vermont. He is the author of *Nationalism and Sectionalism in South Carolina* (1950) and of *James Madison* (1970).

AMÉRIQUE
SEPTENTRIONALE,
ou se remarquent
LES ETATS UNIS.
Par M. Brion de la Tour,
Ingénieur - Géographe du Roi
A PARIS
Chez Esnauts et Rapilly, rue St. Jacques,
à la Ville de Coutances. Avec Priv. du Roi
1783.
Echelle de Lieues d'une heure, de 20 au Degré
PACIF
la Nublada
I. Shelrock
Pe del Marques
15
10
5
245
250
255
260

*A French view of America, a cartouche from the map of* Amérique septentrionale *(Paris, 1783), shows a nation at peace, represented by a woman dressed as an Indian suckling two infants, with commerce thriving in the background. Prints and Photographs Division, Library of Congress.*

consistently analytical and rational approach to the problems of government, and there is no reason to believe that he dealt with the issues of his presidency in ways that were significantly different from those which had characterized his actions during the 1780s and 1790s. Nowhere is this likely to be more true than in the matter of foreign policy, especially since the problem that underlay the War of 1812—that of making Great Britain respect American conceptions of the place of the United States in the international order—was a dominating theme of Madison's public career between 1779 and 1817. As Madison himself remarked in 1790, the injuries which the United States received from Great Britain formed a "copious subject" which led him to "serious and important considerations," and the circumstances that produced those considerations, moreover, had arisen with the very independence of the United States itself in 1783.[2] Madison's reflections on these problems were fundamental to his understanding of how the newly independent Repub-

*Notes for Madison's speech on Congress on commercial retaliation, May 14, 1790. His outline here lists as his concerns "Present deficiency of Shipping & Seamen" (2); "Reasons for increasing them" (1); "Meqns of so doing" (3); and "objections answered (4)." Madison Papers, Manuscript Division, Library of Congress.*

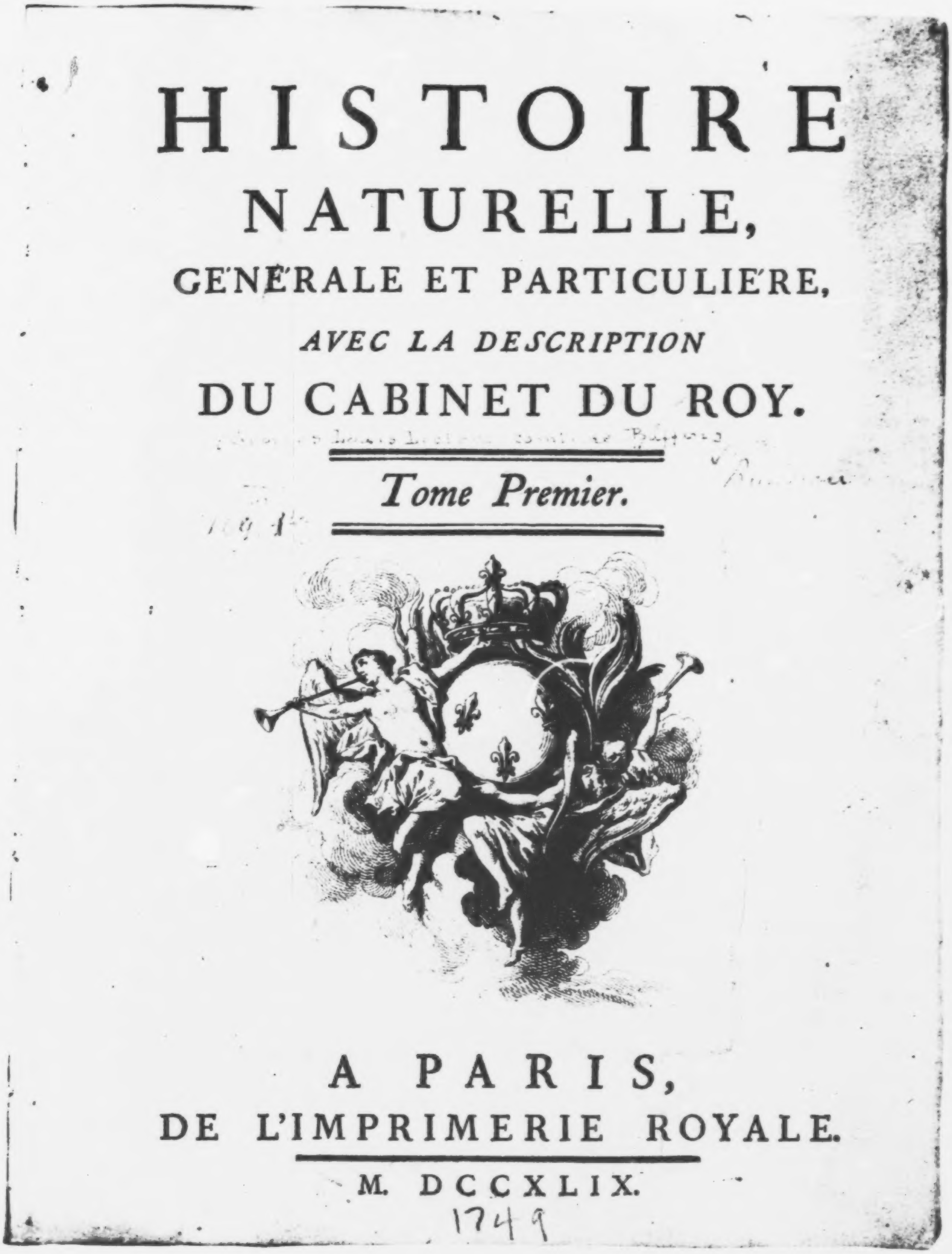
2 Present deficiency of Shipping & Seamen
1. Reasons for increasing them
3. Means of so doing.
4. Objections answered

Genl observations — Govt &

The progress of modern maxims tends to make commerce free among all nations, which will reduce all nations to their natural advantages only — In this, ours make desireable to us. If however monopolizing struggles shd. continue with a view to naval strength — No nation can be so well off as U. S. because they possess bulky produce capable of ~~fully~~ employing mo tonnage and more sure of market, than that of any other nation whatever —

The British W. Ind^s. now permitted to send Sugar South of Cape Finisterre — but the high price in those Islands amounts to prohibition — Champ. p. 209. — So that the American market is as necessary for her sugars at an adequate price as for their rum —

The proportion of american vessels in the direct trade with France shews the importance of fostering it — & the do. of British vessels in the same trade shews how much it concerns both Fr. & U. S. that Fr. should as well as U. S. reciprocate the navigation Act of G. B.

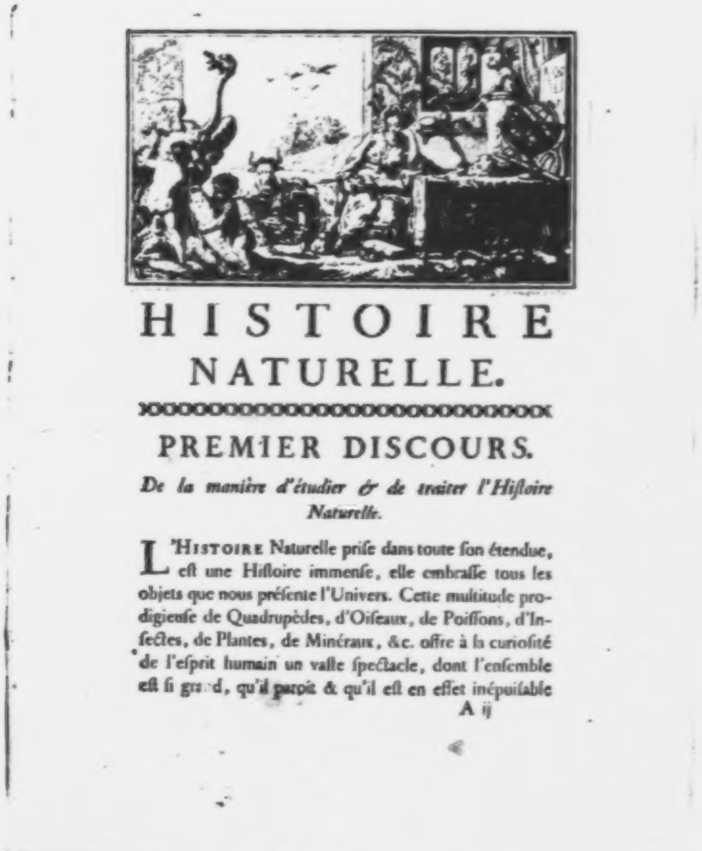


HISTOIRE
NATURELLE,
GÉNÉRALE ET PARTICULIÈRE,
*AVEC LA DESCRIPTION*
DU CABINET DU ROY.

*Tome Premier.*

A PARIS,
DE L'IMPRIMERIE ROYALE.
M. DCCXLIX.
1749

*Title page for the first volume of Georges Louis Leclerc, comte de Buffon's* Histoire naturelle, générale et particulière *(Paris, 1749-88). Rare Book and Special Collections Division, Library of Congress.*



HISTOIRE
NATURELLE.

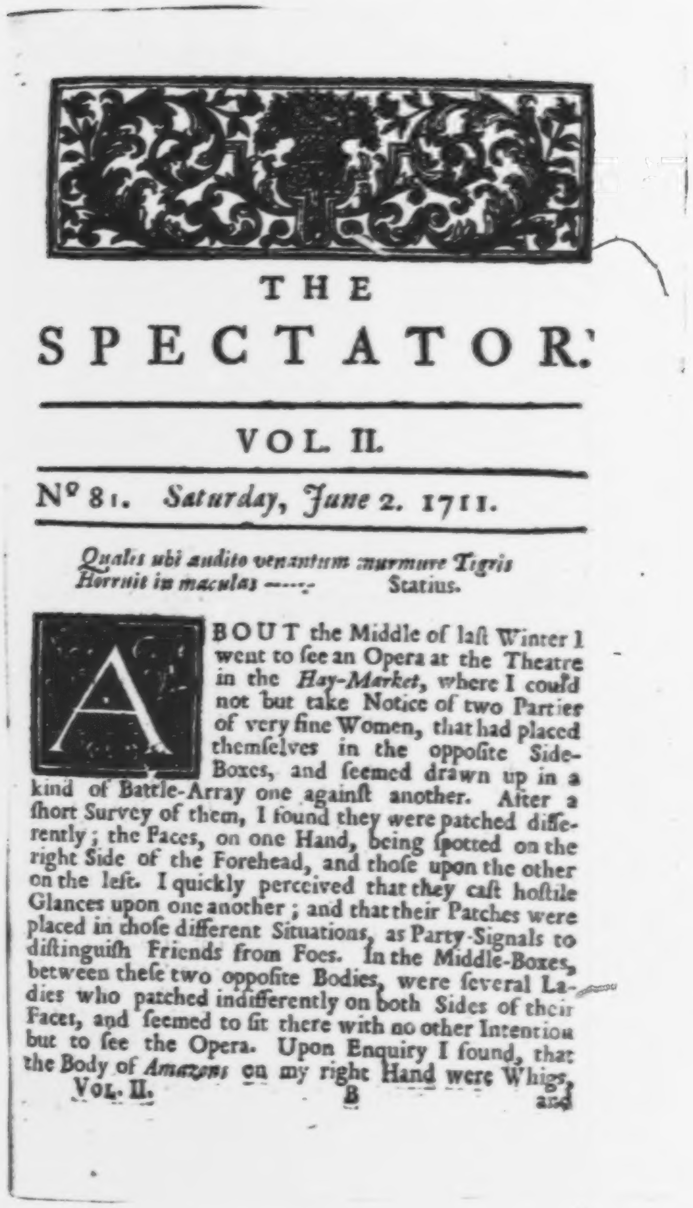
PREMIER DISCOURS.

*De la manière d'étudier & de traiter l'Hiſtoire Naturelle.*

L'HISTOIRE Naturelle priſe dans toute ſon étendue, eſt une Hiſtoire immenſe, elle embraſſe tous les objets que nous préſente l'Univers. Cette multitude prodigieuſe de Quadrupèdes, d'Oiſeaux, de Poiſſons, d'Inſectes, de Plantes, de Minéraux, &c. offre à la curioſité de l'eſprit humain un vaſte ſpectacle, dont l'enſemble eſt ſi grand, qu'il paroît & qu'il eſt en effet inépuiſable

A ij

*An illustration from* Histoire naturelle, générale et particulière *(Paris: De l'Imprimerie Royale, 1749) opening the first chapter of volume one. The study of history—both civil and natural—along with philosophy and the fine arts gave the eighteenth-century gentleman an acquaintance with all branches of human knowledge. Rare Book and Special Collections Division, Library of Congress.*



THE
SPECTATOR.

VOL. II.

Nº 81. *Saturday, June 2.* 1711.

*Qualis ubi audito venantum murmure Tigris*
*Horruit in maculas ——* Statius.

ABOUT the Middle of laſt Winter I went to ſee an Opera at the Theatre in the *Hay-Market*, where I could not but take Notice of two Parties of very fine Women, that had placed themſelves in the oppoſite Side-Boxes, and ſeemed drawn up in a kind of Battle-Array one againſt another. After a ſhort Survey of them, I found they were patched differently; the Faces, on one Hand, being ſpotted on the right Side of the Forehead, and thoſe upon the other on the left. I quickly perceived that they caſt hoſtile Glances upon one another; and that their Patches were placed in thoſe different Situations, as Party-Signals to diſtinguiſh Friends from Foes. In the Middle-Boxes, between theſe two oppoſite Bodies, were ſeveral Ladies who patched indifferently on both Sides of their Faces, and ſeemed to ſit there with no other Intention but to ſee the Opera. Upon Enquiry I found, that the Body of *Amazons* on my right Hand were Whigs,

VOL. II. B and

*The* Spectator *(London, 1712-17), no. 81, Saturday, June 2, 1711, begins with an article describing "two Parties of very fine Women" wearing on their faces patches that "were placed in those different Situations, as Party-Signals to distinguish Friends from Foes. . . . the Body of Amazons on my right Hand were Whigs, and those on my Left, Tories." Rare Book and Special Collections Division, Library of Congress.*

so easily explained and whether Madison ever read the work is pure conjecture, for after his collegiate days he avoided theological subjects with agility.

Reform movements of a secular nature must have interested Madison, however, for he was conversant with Beccaria's *Essay on Crimes and Punishments* and owned Benjamin Rush's attack on capital punishment as well as a tract on prison reforms printed in Philadelphia. Madison's favorite charity, if it may be called that, was certainly the American Colonization Society. His pamphlet collection held several works on the society's purposes, Jehudi Ashmun's *History of the American Colony in Liberia,* and a wide sprinkling of literature on slave-colonization schemes

Patrick Henry

thought of Henry playing the Richmond assembly like a fiddle to any tune he pleased. Events proved them entirely right. Fresh memories of revolutionary conventions must have suggested to many nervous state and local leaders from New Hampshire to the Carolinas—old masters of the rebel arts—how a few remarkable and determined men could turn the world upside down. Friend or foe, no one discounted the extraordinary weight and thrust and genius of the forces gathering in Philadelphia. Murmurs of conspiracy spread through the states during the momentous spring and summer of 1787, as the delegates debated behind closed doors. Deliberately they chose to endure suspicion, from a Jefferson no less than a cantankerous show-me ploughman, rather than inhibit the most candid and delicate deliberations and negotiations demanded by their task. Madison had no doubt then or later that the secrecy was essential to success, and offered no apologies. There would be a time and place for open debate. After the convention adjourned in September and revealed its startling creation to Congress and the public, suspicion became ugly fact for many Antifederalists, and dissenting delegates from New York, Virginia, and Maryland soon confirmed their worst forebodings.

Convened by Congress for "the sole and express purpose" of recommending particular improvements in the Articles of Confederation, a secret conclave of ambitious notables hiding under Washington's pure cloak had betrayed their trust and formed a political monster to consume the liberties of America. The design of the Philadelphia convention, its formidable adversaries charged, fell little short of a counter-revolutionary coup. (That charge, in academic language, still hangs in the air.) The work must be repudiated, or substantially amended by the states, or turned back to a new convention freshly and strictly instructed by the people in its proper business.[12]

In the pages of *The Federalist,* first printed in the New York press, copied and circulated widely, and then published in two volumes completed by Hamilton, Publius-Madison assumed the main burden of proving the republican legitimacy of the Constitutional Convention and its plan. By what right did the founders propose a radically new regime for America? As Madison fully recognized, the very existence of the convention was extra-constitutional, unknown to the law of the Confederation. At best he could claim that the act of Congress summoning the meeting, the compliance of twelve states, and the tacit consent of the American people practically patched over that defect. Moreover, his own instructions from Virginia, like those of other delegates, gave only the authority to devise, discuss, and report "such Alterations and farther Provisions as may be necessary to render the Federal Constitution adequate to the Exigencies of the Union." This was, prima facie, a commission to reform, not transform, the Confederation. His colleague and "dear friend" Edmund Randolph clearly understood it so, before Madison led him by the hand into the formulations of the "Randolph Plan" that set the convention directly on the course to a new constitution. (Randolph, perhaps dismayed by what he had done, refused to sign the Constitution and continued to vote *Maybe*, until the new regime was solidly established.)[13]

Further, by proposing to refer the new plan to state ratifying conventions rather than the legislatures, and to leap over the plain requirement of state unanimity for amending the federal compact, the Philadelphia convention—Madison well knew—flagrantly violated the terms of the Articles of Confederation and Perpetual Union in the most important respect: it would alter the very source of political authority. The consent of the governed—the foundation of all legitimate civil authority in the philosophy of the revolution—would flow through novel channels under different rules.

The gravity of those departures from law and principle could not be lightly dismissed by Publius-Madison, although he gladly offered cautious men a technical excuse for acting boldly. The radical character of the convention's recommendation for abolishing one form of government and establishing another by the consent of ratifying conventions in nine states was finally undeniable; and Madison was prepared to meet head-on this question "of a very delicate nature." The answer must be found, he said,

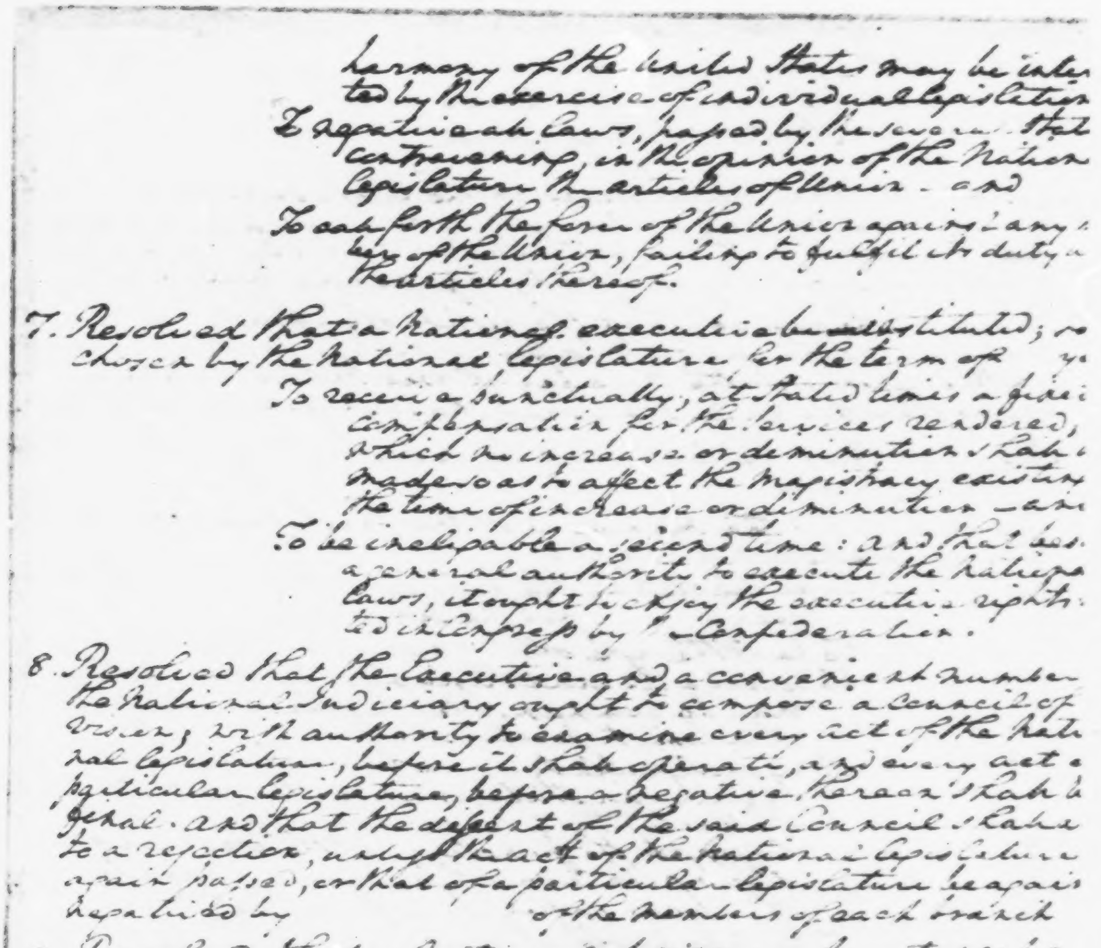
> by recurring to the absolute necessity of the case; to the great principle of self-preservation; to the transcendent law of nature and of nature's God, which declares that the safety and happiness of society are the objects at which all political institutions aim, and to which all such institutions must be sacrificed.

Thus the revolutionary language of the Declaration returned to justify another act of necessity. The Higher Law from which all human rights and obligations flow defines the ends of political institutions and sets limits to their special binding rules.[14]

Then Madison paused to explain the obvious to careless critics. Of course there had been no revolutionary coup at Philadelphia, nor any sort of change in laws or men. The convention met as it was bidden, debated, resolved, reported, and adjourned. They claimed no right for themselves to create or destroy constitutions and governments. Their plan "is to be of no more consequence than the paper on which it is written" unless the people ratify it through their state conventions. Acting for and under "this supreme authority," the founders had only the duty to give wise counsel to their masters. Insofar as they passed the regular limits of their commission, they could find a sure defense in the ultimate power of the people whose rights and interests and will they served.[15]

*Edmund Randolf. Mural by Constantino Brumidi for the U.S. Capitol. Photograph courtesy of the Architect of the Capitol.*

Yet precisely because the convention was but a temporary instrument of popular sovereignty—a trusted body of political physicians skilled in the healing arts—it was obliged to look beyond the literal terms of its commission and, if necessary, the terms of the existing federal compact itself. Mere author of a paper plan, the convention was permitted, indeed obliged, to stretch its



harmony of the United States may be inter-
ted by the exercise of individual legislation
To negative all laws, passed by the several Stat
contravening, in the opinion of the Nation
legislature the articles of Union — and
To call forth the force of the Union against any m
ber of the Union, failing to fulfil its duty u
the articles thereof.

7. Resolved that a National executive be instituted; to
chosen by the National legislature for the term of y
To receive punctually, at stated times a fixe
compensation for the services rendered,
which no increase or diminution shall
made so as to affect the magistracy existin
the time of increase or diminution — an
To be ineligible a second time: and that bes
a general authority to execute the Nationa
laws, it ought to enjoy the executive rights
ted in Congress by the Confederation.

8. Resolved that the Executive and a convenient number
the National Judiciary ought to compose a Council of
vision; with authority to examine every act of the Nati
nal legislature, before it shall operate, and every act o
particular legislature, before a negative thereon shall b
final. and that the dissent of the said Council shall a
to a rejection, unless the act of the National legislature
again passed, or that of a particular legislature be again
negatived by of the members of each branch

9. Resolved that a National Judiciary be established;
To consist of one or more supreme tribunals, a
of inferior tribunals.
To be chosen by the National legislature;
To hold their offices during good behaviour;
To receive punctually at stated times a fixed c
pensation for their services; in which no i
crease or diminution shall be made, so a
to affect the persons actually in office at t
time of such increase or diminution.
That the jurisdiction of the inferior tribunals shall
to hear and determine in the first instance, and of the
preme tribunal to hear and determine in the dernier res
All piracies and felonies on the high seas.
Captures from an enemy.
Cases in which foreigners, or citizens of othe
States, applying to such jurisdictions ma
be interested — or
which respect the collection of the N
al Revenue.
Impeachments of any National officers — a
Questions, which involve the National peace
or harmony.

10. Resolved that provision ought to be made, for the a
mission of States, lawfully arising within the limits of t
United States, whether from a voluntary junction of Government and
Territory or otherwise with the consent of a number of
[illegible]

Committee of the Whole and agrees with Text A's wording of the ninth resolution, he also dismissed its claim to represent the original form of the Virginia resolutions.[20] Jameson was apparently unaware of the existence of an earlier copy of the Virginia Plan in Paterson's hand, the one the New Jersey delegate actually used as the resolutions progressed through the Committee of the Whole.[21] Other "working" copies are those of David Brearley and John Lansing. The deletions and the marginal and interlined additions in these copies prove beyond doubt that they are contemporaneous, or nearly so, with the introduction of the resolutions on May 29. They accordingly have a greater claim to represent the original than do the fair copies, whose texts may contain interpolations. Lansing made his copy on June 2, the day he took his seat, and his text incorporates changes made up to that date.[22] Brearley appears to have copied the resolutions on May 31 or June 1, as indicated by his version of the sixth resolution. A clause of that resolution reads: "to negative all laws passed by the several States, contravening in the opinion of the National Legislature the articles of union." After "articles of union" the Committee of the Whole on May 31 added "or any Treaties subsisting under the authority of the union."[23] Brearley's text includes this addition. Changes that occurred on or after June 1, however, appear as interlineations or marginal insertions in Brearley's manuscript. The earliest of the three surviving working copies is Paterson's, for the phrase added to the sixth resolution on May 31 is interlined in his manuscript. Since each of these copies was made before June 4, the day the committee first took up the ninth resolution, one can reasonably affirm that their texts of the ninth resolution are true to the original.

The ninth resolution in Lansing's copy has no markings to show its evolution in the Committee of the Whole. Those of Paterson and Brearley, however, record changes that took place on June 4 and 5. Brearley, for example, deleted "or more" before "supreme tribunals," the "s" in "tribunals," and the next ten words of the clause: "and of [space] inferior tribunals to be chosen by the Nat. legislature."[24] Paterson made the same deletions and interlined "one or more" (which he deleted) before "inferior"; he also interlined "appointed by" above the deleted "chosen by the national legislature." In the margin opposite the jurisdiction clause he wrote "postponed." Clearly, all of the deleted phrases in the Brearley and Paterson texts were part of the original resolution, and Jameson erred in concluding that some of them were not added until June 4.

The manuscript evidence thus overwhelmingly confirms the correctness of Text A and leaves no doubt that the Virginia Plan in its original form provided for supreme and inferior courts. Although much of this evidence was aparently unknown or unavailable to him, Jameson was aware of the existence and location of Brearley's working copy, which has been in the public archives since 1818.[25] Instead of looking at the original manuscript, however, he used two misleading printed texts that were derived from this manuscript. Curiously, he treated these printed texts as independent versions of the Virginia Plan, even though he suspected that Brearley's manuscript was the source of both of them. The first, which he called Text B, is in the *Journal, Acts and Proceedings of the Convention,* issued in 1819 and prepared under the supervision of Secretary of State John Quincy Adams. The second, designated Text C, is in the *Documentary History of the Constitution.*[26] The reason for the significant variations in these two printed texts is that Text B is an attempt to reproduce the original resolutions and Text C presents the resolutions as corrected by Brearley at various stages of the proceedings. With Brearley's manuscript as his guide, Adams sought to recover the original resolutions by omitting the insertions and restoring deleted words in the text.[27] He succeeded in establishing the original text in all but two of the resolutions: the sixth and the controversial ninth. The sixth resolution in Text B contains the words "or any Treaty [treaties ] subsisting under the authority of the union," which were not added until May 31. The error is not Adams's, however, for Brearley himself incorporated the phrase in his text.

In attempting to determine the original wording of the ninth resolution, Adams used a manuscript that appeared thus to him:

> Resolved, that a *National Judiciary* be established to consist of one ~~or more~~ supreme Tribunal~~s~~ ~~and of~~ [space] ~~inferior tribunals; to be chosen by the Nat. Legislature;~~ to hold their offices during good behavior . . . [remainder identical to Text A]

own proposals. Nevertheless, his character was described by his associates in terms that are customarily used to describe the conciliator rather than the initiator in politics. So closely did his style and manner resemble the middleman negotiators that they usually treated him as one of their kind.

Madison's combination of mental and character traits, rarely found in the same person, accounts for the special place he has in the history of American statesmanship. Author of theoretical writings on politics rivaled by no more than a half dozen men in American history, he was also able to move from reflective thoughts about political ethics and causation to (1) diagnosing current problems of government to (2) prescribing practical remedies to (3) devising strategies to achieve acceptance for his proposed remedies to (4) narrating and commenting upon this entire process.

At the same time, his temperament and character were such as to enable him to take every step in the process with the utmost tact and diplomacy. Patient and self-controlled, he never gave way to outbursts of anger or displays of petulance. His great learning and dialectical abilities, brought forward with unassumed modesty, conveyed the impression that he was serving a cause and not himself. Even when he despised the arguments of those who differed with him, he never allowed himself to question their motives. He would alter his opinions when persuaded—and even when not persuaded he could acquiesce for the sake of a higher good; but calmly and with no rancor he would continue to make clear that he was merely acquiescent and not convinced. His speeches and writings were totally lacking in demagogic appeals to the emotions or sophistical enticements to the intellect.

Madison was well prepared by practical experience for the role he played in 1787 in drafting the U.S. Constitution. Although only thirty-six years old, he had already served for two years on the council of the Virginia governor, five years in the Virginia legislature, and four years in the Confederation Congress. In every office that he held, he had been known for his serious attention to business. In the Confederation Congress, where absenteeism was notoriously chronic, he seldom missed a session. He was continuously busy in preparing drafts of reports, resolutions, or diplomatic instructions, in making prepared addresses or participating in impromptu debates, or in doing the routine work of a conscientious committeeman. Interested in a wide range of subjects, he became especially informed in financial problems, diplomatic negotiations, Western affairs, and the local origins of voting alignments in the Congress.

Through these experiences as a practical legislator he became a confirmed believer in what David Hume had written about the influence of economic interests on political behavior. The records of the Confederation Congress showed, he argued, that the states voted in accordance with their economic interests. That political divisions in civilized societies grew out of conflicts between the rich and the poor, between those who owned and those who had no property, between creditors and debtors, between the landed and commercial or manufacturing interests, was a refrain that ran through his Philadelphia speeches. His Federalist paper no. 10, notable in the history of American political thought as an early economic interpretation of politics, was a restatement of what he had already said repeatedly in 1787.

Throughout the 1780s Madison was a champion of expanded powers for the Confederation. Convinced that the power to coerce states could be inferred from that clause in the Articles that obligated them to "abide by the determinations of the united states in congress assembled," he nevertheless advocated an amendment that would explicitly confer such a power. He also spoke for amendments to the Articles that would have given the Congress the power to levy import duties and to enact navigation laws. Both in the Virginia legislature and in the Congress he worked for a satisfactory agreement by which Virginia would cede to the Confederation its claims to trans-Appalachian territories north of the Ohio. In 1785, in the Virginia legislature, he drafted the resolutions that led to the Annapolis Convention, to which he was sent as a delegate in September 1786. In both the Virginia legislature and the Confederation Congress he was involved in the steps taken by these two bodies to put into effect the recommendation of the Annapolis Convention that a new convention be held in Philadelphia in May 1787.

Through study, too, Madison had deliberately prepared himself for his great work at Philadelphia. In April 1787, he finished a manuscript entitled "The Vices of the Political System of the United States," in which he analyzed the defects of the existing Confederation. In the previous summer he had completed a manuscript that recorded the results of his investigations of the workings "Of ancient and Modern Confederacies." Information and ideas formed in the course of these studies were to appear many times in his convention speeches and in *The Federalist.*

Madison's influence at the Constitutional Convention of 1787 was due in the first instance to his seizing the initiative. In Philadelphia by May 4, he was the first of the delegates to arrive. On May 17, he began daily discussions with the Virginia delegates, from which came forth the Virginia Plan of Union that was presented to the convention on the second day after it was organized. Since the New Jersey Plan of Union was not introduced until June 15, the Virginia Plan provided the text for debate during the first two weeks.

Edmund Randolph introduced the Virginia Plan, but it is universally assumed that Madison was largely responsible for its contents. Madison himself never claimed authorship of the plan, and only because of its close resemblance to letters that he had written to Jefferson (March 19), to Edmund Randolph (April 8), and to George Washington (April 16), are we safe in deducing his primary role in its formulation. In these letters Madison had proposed that the central government be given an unlimited veto of state laws; the Virginia Plan proposed merely a national veto of state laws in conflict with the national constitution. With this one exception, what Madison had advocated in his letters appeared in the plan presented by Randolph.

A second influence of Madison, which continued throughout the summer of 1787, was in the realm of argumentation. He had something to say in just about every debate of the convention. The notes that Madison kept, our best and fullest source for the debates and proceedings, record his name as a speaker on seventy-one of the eighty-six days in session.

The criteria that governed Madison's thinking at Philadelphia were four: nationalism, republicanism, stability, and protection of private property rights of individuals.

## Nationalism

Above all else, Madison attempted to promote national authority and power. The Virginia Plan stated that "the National Legislature ought to be empowered to enjoy the Legislative Rights vested in Congress by the Confederation"; to "negative" state laws in conflict with the national constitution; to "call forth the force of the Union against any member of the Union failing to fulfill" its constitutional duties; and "moreover to legislate in all cases to which the separate States are incompetent; or in which the harmony of the U.S. may be interrupted by the exercise of individual Legislation." Once the convention accepted the approach of enumerating the specific powers of Congress rather than granting them by means of a broad general statement, Madison's tactic was to add to the list reported by the Committee of Detail. On August 17 he submitted a list of nine additional powers.

Madison also sought to strengthen the central government by establishing means for preventing state encroachments on national authority and by rendering it independent of the states in its electoral and operational processes. One of the purposes of a national veto of state laws was to prevent state encroachment on federal power. One of the advantages of popular election of senators was to render them less dependent on state government. His high praise for the idea of enforcing federal law on individuals rather than states and his insistence that the central government have a taxing power of its own were based on the desire to make the central government independent of the states in its operation.

## Republicanism

Like an overwhelming majority of the delegates at Philadelphia, Madison had a philosophical preference for the republican form of government, and like all (not excluding Hamilton) he recognized that public opinion would demand that this principle be an integral part of any new union government. But Madison also believed that republican governments in the past had shown a tendency toward instability and injustice because of the inconstancy of public opinion and the selfishness of legislative lic could defend its interests in a world of hostile powers, and they guided his conduct, insofar as the domestic political situation allowed, right up to the declaration of the "second war of independence" in 1812.

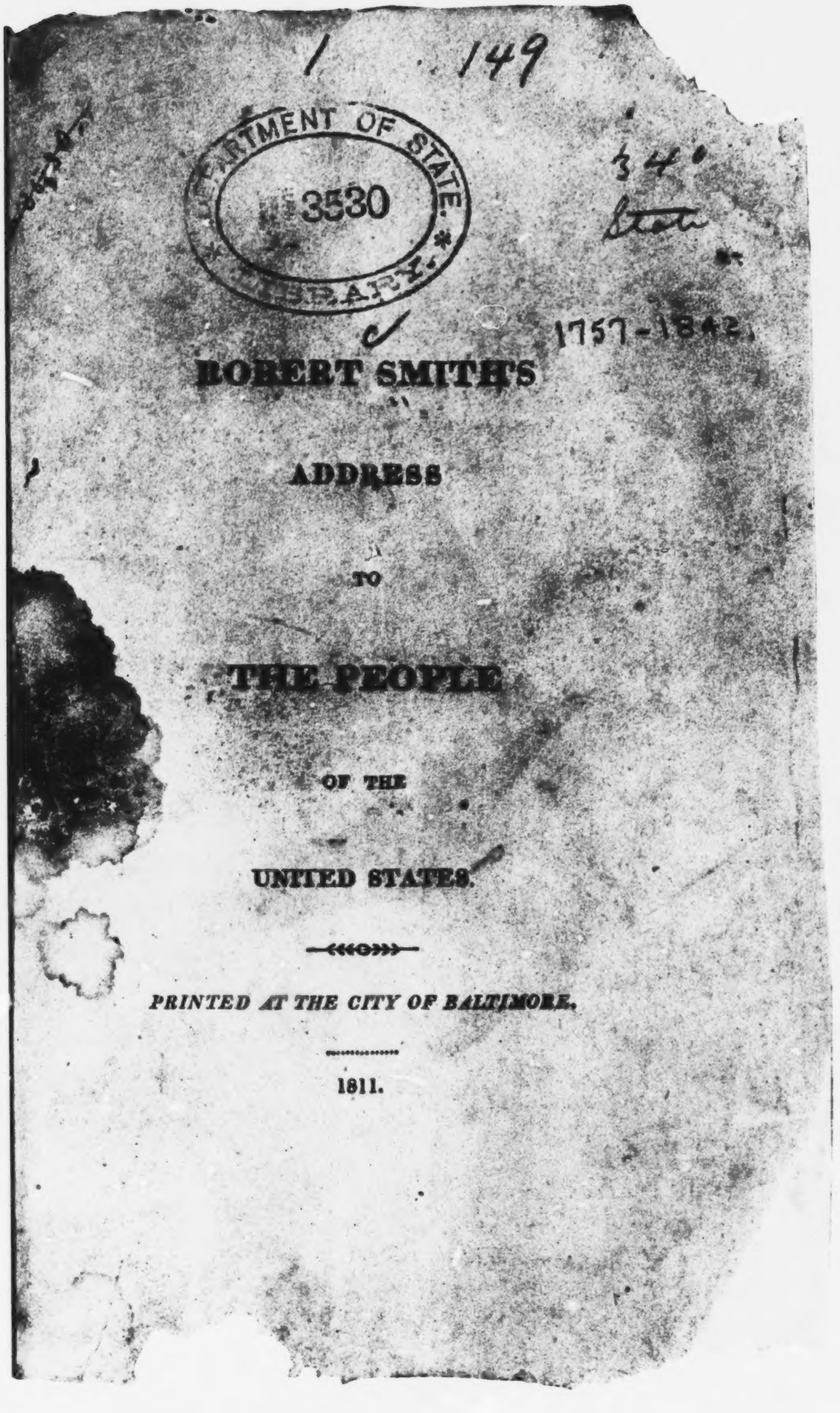
Madison's most significant contribution to the diplomacy of the early Republic was, without doubt, his formulation of the theories of peaceable coercion, which both he and Thomas Jefferson attempted to apply against Great Britain in the years after 1790. The belief that Great Britain could be brought to terms by the application of various forms of economic retaliation was, of course, by no means unique to Madison. It had its origins in the common experience of all the American colonies with the nonimportation agreements of the 1760s and 1770s, which became part of the broader movement toward independence.[3] Madison, after 1776, drew upon the writings of the European Enlightenment and various English and Scottish schools of political economy in order to systematize the justifications that had been put forward for altering the commercial relations between Great Britain and America and, as he did so, adapted them to fit the harsh economic realities of the postindependence world.[4] His first moves in this direction occurred with his support for the attempts to strengthen the powers of the Continental Congress to regulate foreign trade and with his sponsorship of the Virginia Port Bill of 1784.[5] The failure to achieve significant commercial reform on either the congressional or state level after 1783, however, eventually led Madison to support the more sweeping changes proposed in the Constitutional Convention of 1787 as a way of accomplishing his goals.[6] With the Constitution securely ratified and put into operation, Madison then endeavored between 1790 and 1794 to persuade Congress to adopt a series of discriminatory tariff and tonnage duties against nations refusing to trade with the United States on reciprocal terms.

These duties were aimed primarily at Great Britain since that nation had, after 1783, embarked on a policy of rivalry with the new Republic by denying the American states all of their former commercial privileges in the trade of the empire and subjecting them instead to the restrictions of the British navigation laws. The operation of the navigation laws inevitably led to hardship for many American producers and merchants, especially for those excluded from the trade routes involving the British West Indies, while the monopolistic practices they encouraged, in turn, tended to strengthen the position of British merchants in their trade in the American market. By attempting to retaliate against Great Britain after 1790, Madison intended to undermine the British navigation laws as they operated on the patterns of Anglo-American trade. He argued that tariff and tonnage duties levied in favor of American navigation and non-British goods would encourage American merchants and non-British manufacturers to compete with British merchants. The ascendancy of the British, Madison believed, rested largely on lack of competition, which itself stemmed from habitual acceptance of trading practices that had originated in the colonial period. An additional benefit from diminishing the flow of British goods to America would be to reduce the drain of specie from the country to pay for these imports—which were usually imported in British bottoms—and thus to allow the United States to build up a more favorable balance of trade with the mother country. Furthermore, discriminatory tariff duties might even encourage Americans to supply some of their own manufacturing needs, thus accelerating American emancipation from reliance on Great Britain as a source of manufactured goods.[7]

Madison's policies, however, were designed to accomplish rather more than the establishment of a greater degree of commercial equality between Great Britain and the United States, because he expected that a more equal relationship would mean a significant reduction in Great Britain's existing status as a leading world power as well. Madison believed that discriminatory policies would therefore operate to make Great Britain more amenable to the demands of American foreign policy. This expectation was based on his awareness that the growth of British power throughout the eighteenth century had owed a good deal to the expansion of the American colonies themselves. Madison concluded that it was unlikely that British commercial policies based on the colonial practices of the past could continue to bring prosperity to a greatly shrunken British empire if the United States should embark on a campaign to deprive Great Britain of access to vital American economic resources.[8] This case for an American policy of retaliation was strengthened by Madison's belief that Great Britain still needed to import raw materials both to feed parts of its empire and to manufacture its exports in order to maintain its trade and prosperity. A nation which thus relied on exports and imports had, Madison claimed, a very vulnerable economy. This vulnerability was heightened by British exports being, so Madison declared, "luxuries" or "superfluities" which most nations might do without, while American exports were "necessaries" which no nation, least of all Great Britain and its West Indian colonies, could forgo. Because the United States was both a large market for British exports and a provider of British imports, Madison felt that the operation of commercial restrictions—ranging from discriminatory duties through bans on imports and embargoes to complete nonintercourse—could place the United States in an advantageous position in its diplomatic relations with Great Britain.[9] In the last analysis, British commercial and naval power rested on the credit of the nation, which, in turn, depended on commerce. By damaging British commerce the United States could, Madison believed, weaken the very foundations of the British system of government.[10]

Such were the assumptions which underlay the attempts of the Republican administrations after 1801 to apply policies of commercial restriction to Great Britain, principally by means of the nonimportation laws of 1806 and 1811 and the embargo during the years 1807 to 1809. Of these measures, Madison's preference was undoubtedly for the embargo, and he appears to have been instrumental in persuading the Jefferson administration to adopt it as the response to the British orders-in-council in December 1807.[11] This partiality to the embargo as a weapon of economic coercion, moreover, was based on Madison's awareness of the importance of the commercial relationships between the United States and the West Indies for the overall prosperity of the British empire. To produce and market the sugar and coffee of such economic value to Great Britain, the West Indian islands needed to draw from the United States both the food required to feed their slave laborers and the lumber necessary to package their produce for shipment to the mother country.[12] The economic theories which underlay the British navigation laws required either that British vessels carry such American food and lumber to the islands or, failing this, that the supplies themselves be drawn from another British territory, but, with the insufficiency of tonnage resulting from the pressures of war after 1793, the British government from time to time exempted the islands from the navigation laws in order to enable them to receive American supplies in American bottoms.[13] It was such weaknesses as these in the economy of the British empire that Madison hoped to exploit for American benefit, and the severity of the economic problems of the West Indies in the early years of the nineteenth century was such that his hopes for success seemed not at all unreasonable.[14] Working against Madison's views, on the other hand, was the fact that British concessions to American demands for access to the West Indian trades invariably provoked protests from British shipping interests, and the manner in which the British government responded to these protests ultimately led to the War of 1812.

In their protests against concessions to Americans, British shippers, particularly those with a heavy stake in West Indian commerce, deplored the loss of trade to the merchants of a rival nation, arguing that such a development ultimately threatened to undermine the strength of the Royal Navy on which the nation's security depended in time of war.[15] The British government, at times, had some difficulty in balancing the conflicting needs of the planters in the West Indies for supplies with those of the merchants who carried their produce, but, under the combined pressure of fear of American commercial rivalry and the need to expand its naval power in the long struggle with Napoleonic France, the government invariably favored the interests of British shipping. This decision, in turn, was reflected in an increasing severity toward American efforts to fill the role of a neutral trader in the Napoleonic Wars and resulted in particularly heavy seizures of American vessels in the West Indies after 1805 under the so-called "rule of '56," combined with a frequent recourse to the offensive habit of impressing American



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1757-1842

ROBERT SMITH'S

ADDRESS

TO

THE PEOPLE

OF THE

UNITED STATES.

PRINTED AT THE CITY OF BALTIMORE.

1811.

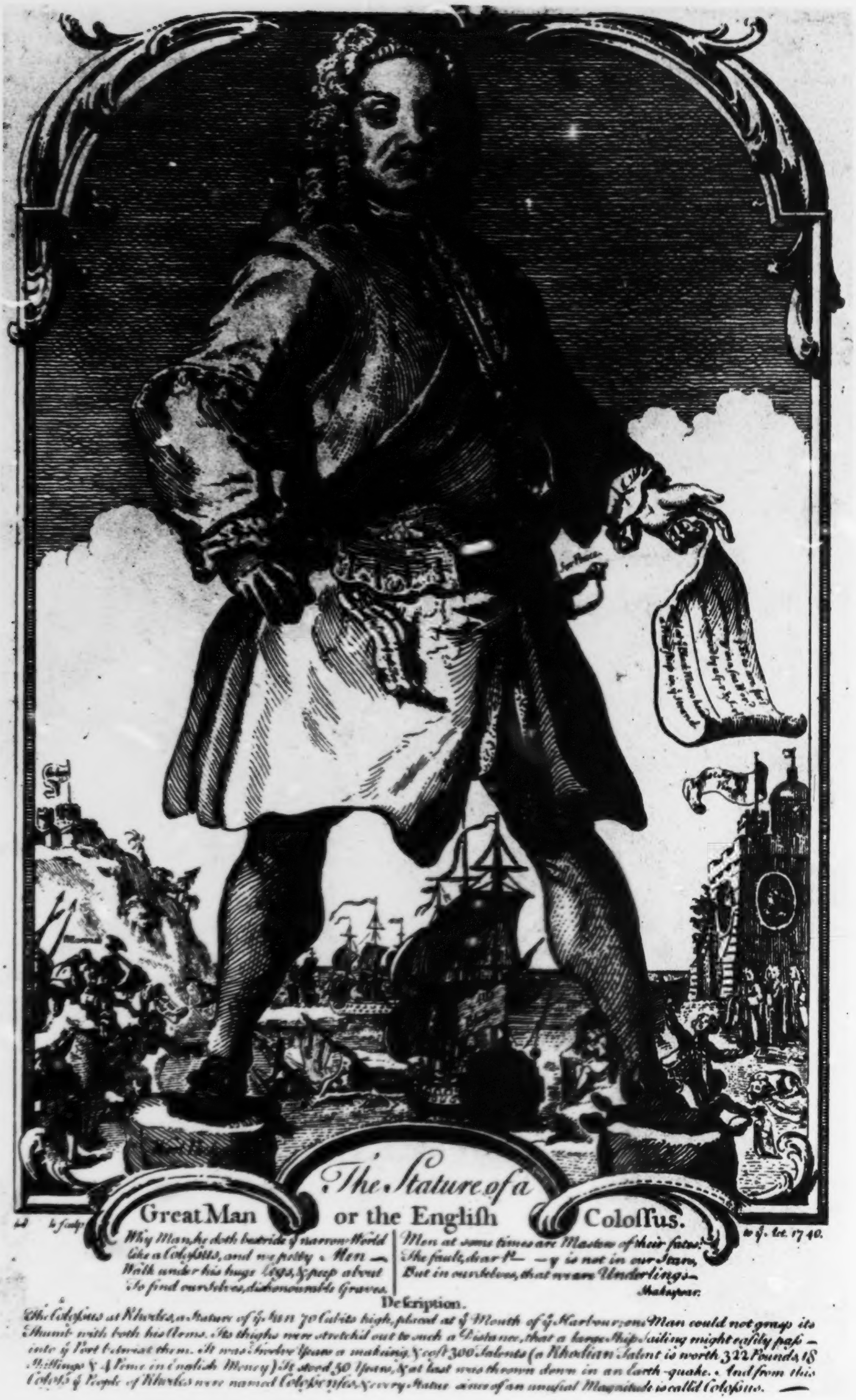
*Robert Smith, in his* Address to the People of the United States *(Baltimore, 1811), stated that a stronger president than Madison was needed to defend the country's honor against British infringements. Rare Book and Special Collections Division, Library of Congress.*

toasted all his Republican critics, with the *Baltimore Whig* openly predicting that Madison would not be reelected in 1812. In the midst of all these developments, Robert Smith, as he had warned Madison, took his differences with the president to the country with publication in June 1811 of his *Address to the People of the United States,* a fifty-page indictment of the errors and weaknesses of American foreign policy. The *Address* concluded with a blatant political threat—declaring that the survival of the Republican party required a president far stronger than Madison had been in defending the nation's honor.[46]

Such was the domestic political climate in which Madison and Monroe met Foster in July 1811 for another round of negotiations on the United States' longstanding grievances with Great Britain. It was a situation which required that the president obtain as favorable terms from Great Britain as possible, although he did not, in fact, expect any such result. And Foster fully realized the president's worst expectations. Indeed, Foster rejected Madison's case for the British repeal of the orders-in-council by frequently resorting to arguments that Robert Smith had put forward earlier, and Madison must have winced when he read some of the diplomatic notes that the British minister gave to Monroe. After two weeks of fruitless discussion in this vein, Madison, realizing that the situation was hopeless, left for his vacation in Virginia, and on July 24, 1811, he issued a proclamation calling the Twelfth Congress into an early session on November 4.[47] There is some evidence to suggest that Madison may have wanted the Twelfth Congress to meet as early as October, but he settled for November when he realized that the earlier time would require that both he and his cabinet spend almost the entire summer in Washington, a feat of endurance that was generally regarded as hazardous to health.[48]

This presidential proclamation to call an early session of Congress was a crucial stage in the coming of the War of 1812, for it amounted to no less than a decision to prepare the United States for that conflict. As early as April 1811 Madison had clearly been thinking about the need for a stronger foreign policy, and the one thing he could not do after July 1811 was continue the previous policies of peaceable coercion, at least not without running the risk of being outflanked on foreign policy issues in an election year by influential and important groups of Republican malcontents. The president, therefore, could hardly have intentionally aroused public speculation by calling an early session of a new Congress, sent it the correspondence between Foster and Monroe, and then announced that he was continuing with the policies of the past three years. Foster, as Robert Smith anticipated, had resisted American claims on the grounds that the president had presented the American case against the orders-in-council on hopelessly weak grounds, especially with Madison's acceptance of the Cadore letter as evidence of French repeal of the Berlin and Milan decrees. Once this charge became public, as it inevitably would, the Republican malcontents could have argued that Madison was weak enough to submit to anything, including insults from Great Britain and deceit from France at the same time. The *National Intelligencer* freely admitted as much when it pointed out, on August 17, 1811, that the British government could hardly be expected to make concessions to the United States while Robert Smith was engaged not simply in exposing differences of opinion over foreign policy within the cabinet but also in proclaiming them openly "from the housetops" of the nation.[49] In short, anything less than a determination to resist forcibly British attacks on American neutral rights had become by the middle of 1811 diplomatically and politically indefensible, and Madison fully recognized this. Preparations for war, on the other hand, would anticipate and undercut any future criticisms of Madison's ineffectiveness from the malcontents; would help unite the Republican party in an election year; would uphold the nation's honor; and would also threaten to deprive Great Britain of Canada as a resource which had become increasingly valuable for that nation's commercial and naval policies.[50]

Consequently, when the Twelfth Congress met in November 1811, Madison called on its members to prepare for war, and his cabinet recommended specific policies for that purpose to them. These recommendations, as had become the practice in relations between the executive and the legislature, were transmitted


The Stature of a
Great Man
or the English
Coloſſus.
Why Man, he doth bestride ẏ narrow World
like a Coloſſus, and we petty Men
Walk under his huge Legs, & peep about
To find ourselves dishonourable Graves.
Men at some times are Masters of their fates:
The fault, dear B— —y is not in our Stars,
But in ourselves, that we are Underlings.
Shakespear.
Deſcription.
The Coloſſus at Rhodes, a Statue of ẏ Sun 70 Cubits high, placed at ẏ Mouth of ẏ Harbour; one Man could not grasp its Thumb with both his Arms. Its thighs were stretch'd out to such a Distance, that a large Ship sailing might easily pass into ẏ Port betwixt them. It was twelve Years a making, & cost 300 Talents (a Rhodian Talent is worth 322 Pounds, 18 Shillings & 4 Pence in English Money). It stood 50 Years, & at last was thrown down in an Earth-quake. And from this Coloss ẏ People of Rhodes were named Colossenses, & every Statue since of an unusual Magnitude is call'd Colossus.
1740.

*"The Stature of a Great Man or the English Colossus." Satire of Sir Robert Walpole alluding to his "extreme reluctance to engage in war . . . to resist the aggressions of Spain and France." Engraving of 1740.*

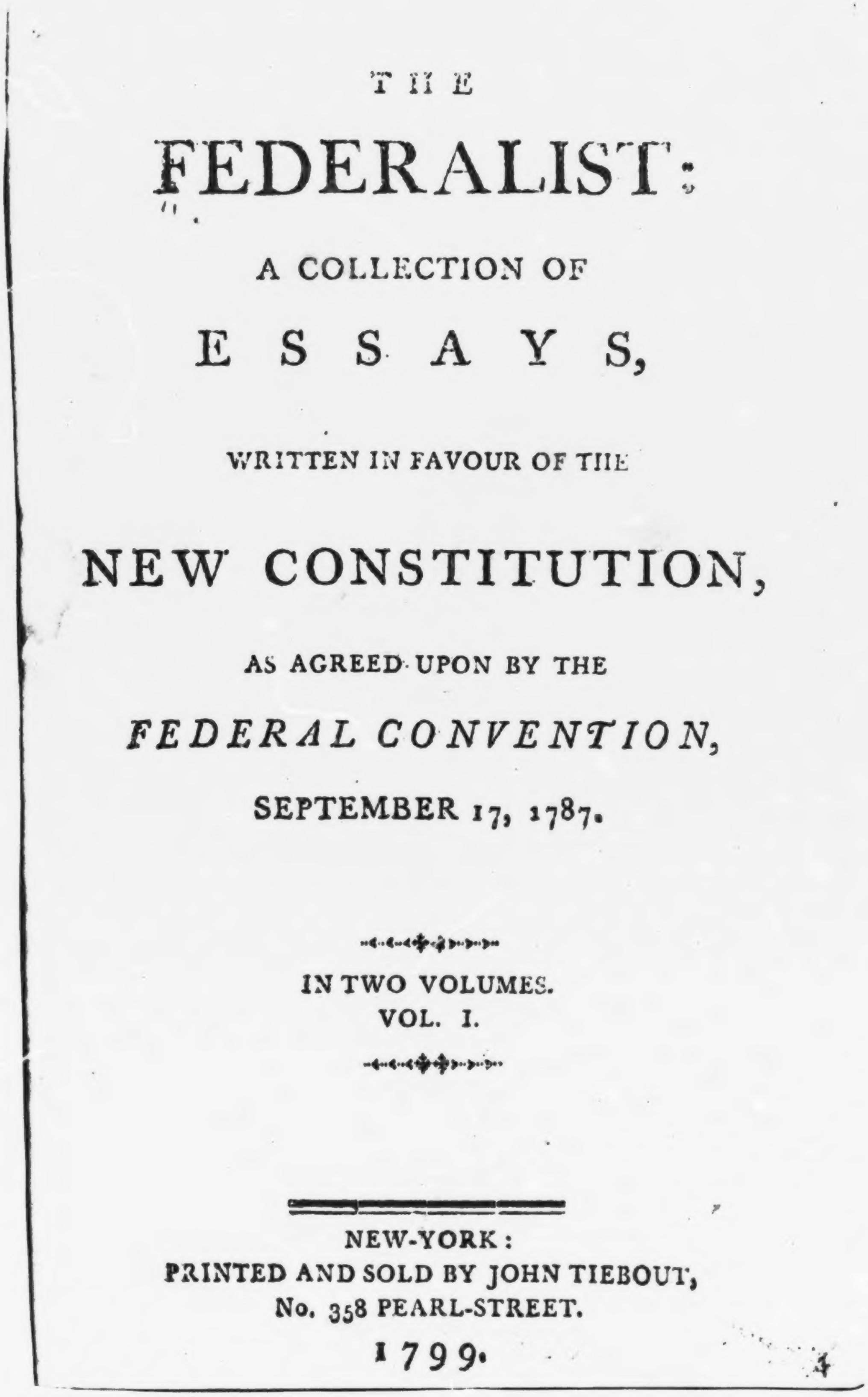
Jonathan Swift. Painting by Charles Jervas.

Henry St. John, Lord Bolingbroke

tion had been replaced by the need to reconstruct government, was that fashioned by the critics of Sir Robert Walpole during his long career as "Prime Minister" (1721-42). He frankly allied the government of Great Britain with the wealth and power of the rising merchants of London and the great Whig oligarchs who had deposed James II and supported the wars against Louis XIV. Walpole saw this commercially oriented policy as the pathway to Britain's future greatness (defined largely as material prosperity). He skillfully organized political support for this by manipulating Parliament, dispensing offices, and intriguing with the royal family. The result, despite the corruption, was a government and a society much the freest and most prosperous in Europe, as Montesquieu, Voltaire, and other continental observers recognized poignantly and admiringly.

In part because of the very freedom and openness Walpole's "system" celebrated, criticism flourished and dogged his every move. Some contemporaries, retrospectively termed "Radical Whigs," attacked him because his corrupt oligarchy, as they saw it, prevented the fulfillment of the Glorious Revolution. These critics, led by John Trenchard and Thomas Gordon writing over the pseudonym "Cato," called for even more freedom of trade and expression, more frequent and fairer elections of the House of Commons, an end to the influence of wealth over the government, and stronger restraints on the power of the Crown. The arguments of "Cato" and his fellow publicists, of course, were well suited to transatlantic Britons when, half a century later, they had reason to oppose a corrupt prime minister and his conniving sovereign; thus the "Radical Whigs" furnished much of "the Ideological Origins of the American Revolution."

Another attack on the society of Walpole's England, far more eloquent and fundamental, came from the literary circle of Jonathan Swift, Alexander Pope, and their political spokesman, Henry St. John, Lord Bolingbroke. These "Tory critics," as they wrote the prose and poetry that,



THE

FEDERALIST:

A COLLECTION OF

ESSAYS,

WRITTEN IN FAVOUR OF THE

NEW CONSTITUTION,

AS AGREED UPON BY THE

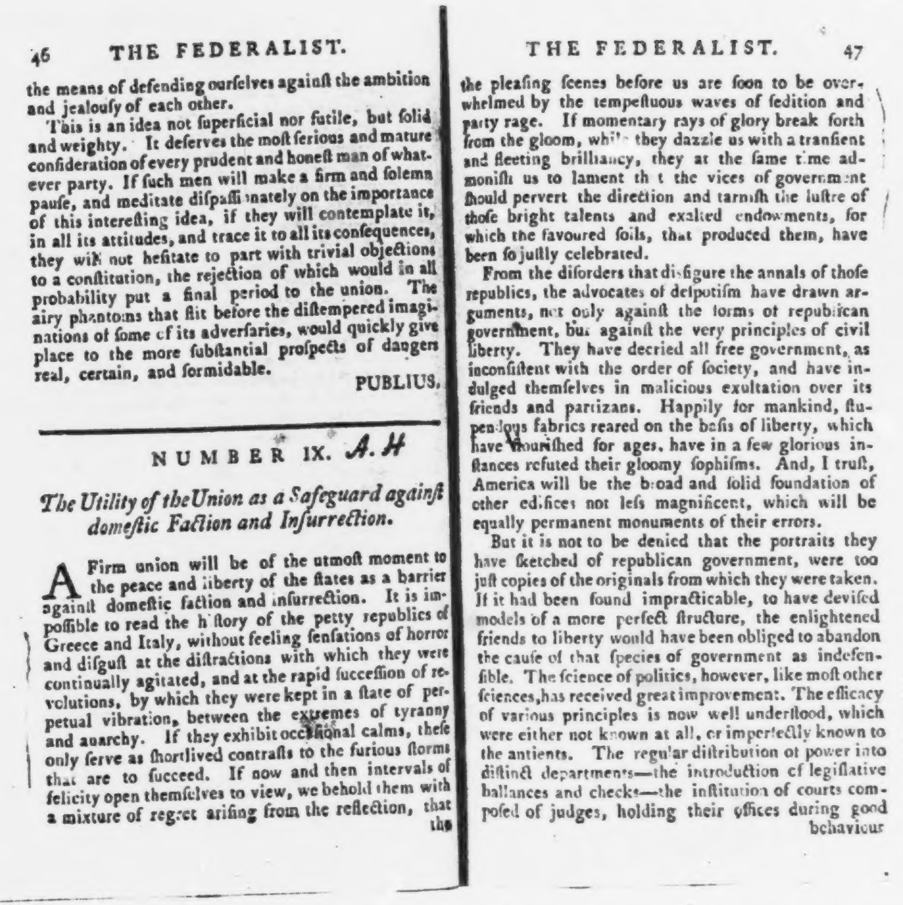
*FEDERAL CONVENTION,*

SEPTEMBER 17, 1787.

IN TWO VOLUMES.
VOL. I.

NEW-YORK:
PRINTED AND SOLD BY JOHN TIEBOUT,
No. 358 PEARL-STREET.
1799.

*Title page from* The Federalist, *James Madison's copy. Rare Book and Special Collections Division, Library of Congress.*



46 THE FEDERALIST.

the means of defending ourſelves againſt the ambition and jealouſy of each other.

This is an idea not ſuperficial nor futile, but ſolid and weighty. It deſerves the moſt ſerious and mature conſideration of every prudent and honeſt man of whatever party. If ſuch men will make a firm and ſolemn pauſe, and meditate diſpaſſionately on the importance of this intereſting idea, if they will contemplate it, in all its attitudes, and trace it to all its conſequences, they will not heſitate to part with trivial objections to a conſtitution, the rejection of which would in all probability put a final period to the union. The airy phantoms that flit before the diſtempered imaginations of ſome of its adverſaries, would quickly give place to the more ſubſtantial proſpects of dangers real, certain, and formidable.

PUBLIUS.

## NUMBER IX. A.H

### *The Utility of the Union as a Safeguard againſt domeſtic Faction and Inſurrection.*

A Firm union will be of the utmoſt moment to the peace and liberty of the ſtates as a barrier againſt domeſtic faction and inſurrection. It is impoſſible to read the hiſtory of the petty republics of Greece and Italy, without feeling ſenſations of horror and diſguſt at the diſtractions with which they were continually agitated, and at the rapid ſucceſſion of revolutions, by which they were kept in a ſtate of perpetual vibration, between the extremes of tyranny and anarchy. If they exhibit occaſional calms, theſe only ſerve as ſhortlived contraſts to the furious ſtorms that are to ſucceed. If now and then intervals of felicity open themſelves to view, we behold them with a mixture of regret ariſing from the reflection, that the pleaſing ſcenes before us are ſoon to be overwhelmed by the tempeſtuous waves of ſedition and party rage. If momentary rays of glory break forth from the gloom, while they dazzle us with a tranſient and fleeting brilliancy, they at the ſame time admoniſh us to lament that the vices of government ſhould pervert the direction and tarniſh the luſtre of thoſe bright talents and exalted endowments, for which the favoured ſoils, that produced them, have been ſo juſtly celebrated.

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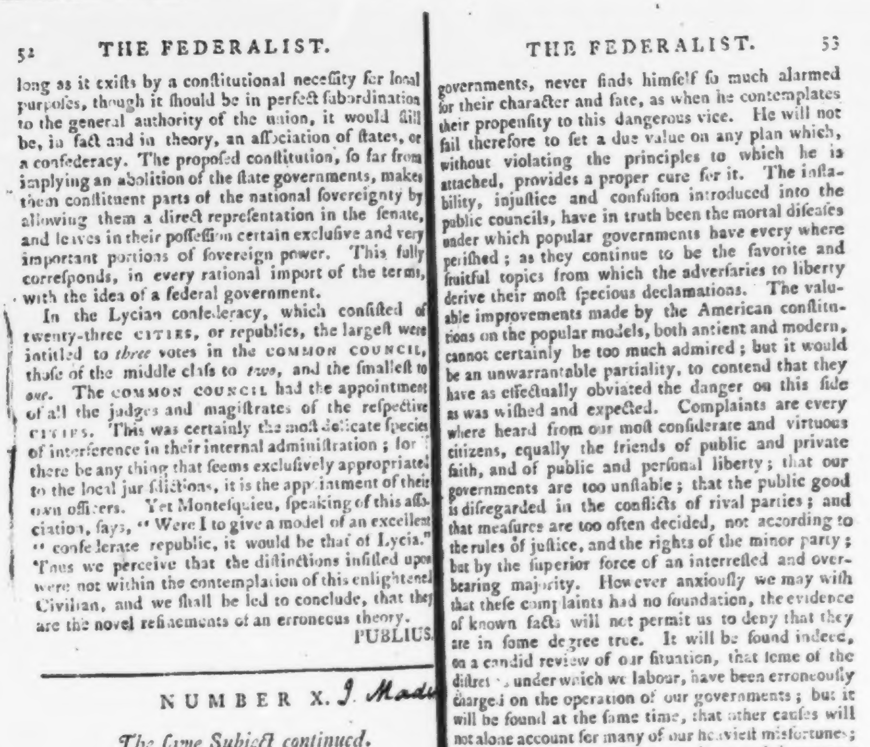
From the diſorders that disfigure the annals of thoſe republics, the advocates of deſpotiſm have drawn arguments, not only againſt the forms of republican government, but againſt the very principles of civil liberty. They have decried all free government, as inconſiſtent with the order of ſociety, and have indulged themſelves in malicious exultation over its friends and partizans. Happily for mankind, ſtupendous fabrics reared on the baſis of liberty, which have flouriſhed for ages, have in a few glorious inſtances refuted their gloomy ſophiſms. And, I truſt, America will be the broad and ſolid foundation of other edifices not leſs magnificent, which will be equally permanent monuments of their errors.

But it is not to be denied that the portraits they have ſketched of republican government, were too juſt copies of the originals from which they were taken. If it had been found impracticable, to have deviſed models of a more perfect ſtructure, the enlightened friends to liberty would have been obliged to abandon the cauſe of that ſpecies of government as indefenſible. The ſcience of politics, however, like moſt other ſciences, has received great improvement. The efficacy of various principles is now well underſtood, which were either not known at all, or imperfectly known to the antients. The regular diſtribution of power into diſtinct departments—the introduction of legiſlative ballances and checks—the inſtitution of courts compoſed of judges, holding their offices during good behaviour

*"The Utility of the Union as a Safeguard against domestic Faction and Insurrection," from* The Federalist, *paper no. 9, James Madison's copy. Madison has indicated with initials that Alexander Hamilton is the author of this paper and has marked the sections on tyranny and anarchy in the ancient republics and on the distribution of power in a system of checks and balances. Rare Book and Special Collections Division, Library of Congress.*



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long as it exiſts by a conſtitutional neceſſity for local purpoſes, though it ſhould be in perfect ſubordination to the general authority of the union, it would ſtill be, in fact and in theory, an aſſociation of ſtates, or a confederacy. The propoſed conſtitution, ſo far from implying an abolition of the ſtate governments, makes them conſtituent parts of the national ſovereignty by allowing them a direct repreſentation in the ſenate, and leaves in their poſſeſſion certain excluſive and very important portions of ſovereign power. This fully correſponds, in every rational import of the terms, with the idea of a federal government.

In the Lycian confederacy, which conſiſted of twenty-three CITIES, or republics, the largeſt were intitled to *three* votes in the COMMON COUNCIL, thoſe of the middle claſs to *two*, and the ſmalleſt to *one*. The COMMON COUNCIL had the appointment of all the judges and magiſtrates of the reſpective CITIES. This was certainly the moſt delicate ſpecies of interference in their internal adminiſtration; for there be any thing that ſeems excluſively appropriated to the local juriſdictions, it is the appointment of their own officers. Yet Monteſquieu, ſpeaking of this aſſociation, ſays, "Were I to give a model of an excellent "confederate republic, it would be that of Lycia." Thus we perceive that the diſtinctions inſiſted upon were not within the contemplation of this enlightened Civilian, and we ſhall be led to conclude, that they are the novel refinements of an erroneous theory.

PUBLIUS.

## NUMBER X. J. Madi

### *The ſame Subject continued.*

AMONG the numerous advantages promiſed by well conſtructed union, none deſerves to be ma accurately developed than its tendency to break an control the violence of faction. The friend of popu- governments, never finds himſelf ſo much alarmed for their character and fate, as when he contemplates their propenſity to this dangerous vice. He will not fail therefore to ſet a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The inſtability, injuſtice and confuſion introduced into the public councils, have in truth been the mortal diſeaſes under which popular governments have every where periſhed; as they continue to be the favorite and fruitful topics from which the adverſaries to liberty derive their moſt ſpecious declamations. The valuable improvements made by the American conſtitutions on the popular models, both antient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this ſide as was wiſhed and expected. Complaints are every where heard from our moſt conſiderate and virtuous citizens, equally the friends of public and private faith, and of public and perſonal liberty; that our governments are too unſtable; that the public good is diſregarded in the conflicts of rival parties; and that meaſures are too often decided, not according to the rules of juſtice, and the rights of the minor party; but by the ſuperior force of an intereſted and overbearing majority. However anxiouſly we may wiſh that theſe complaints had no foundation, the evidence of known facts will not permit us to deny that they are in ſome degree true. It will be found indeed, on a candid review of our ſituation, that ſome of the diſtreſſes under which we labour, have been erroneouſly charged on the operation of our governments; but it will be found at the ſame time, that other cauſes will not alone account for many of our heavieſt misfortunes; and particularly, for that prevailing and increaſing diſtruſt of public engagements, and alarm for private rights, which are echoed from one end of the continent to the other. Theſe muſt be chiefly, if not

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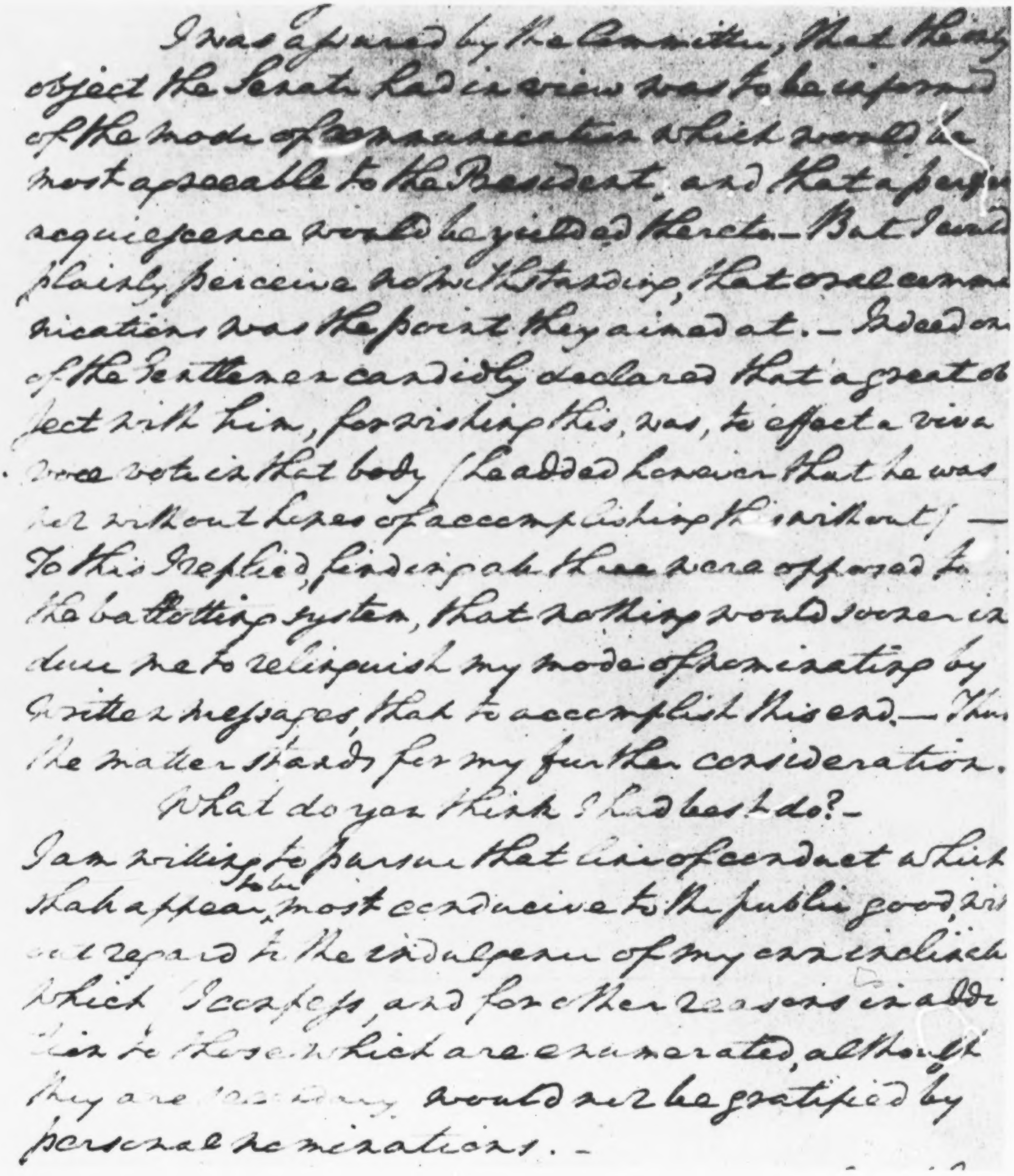
E 3 wholly,

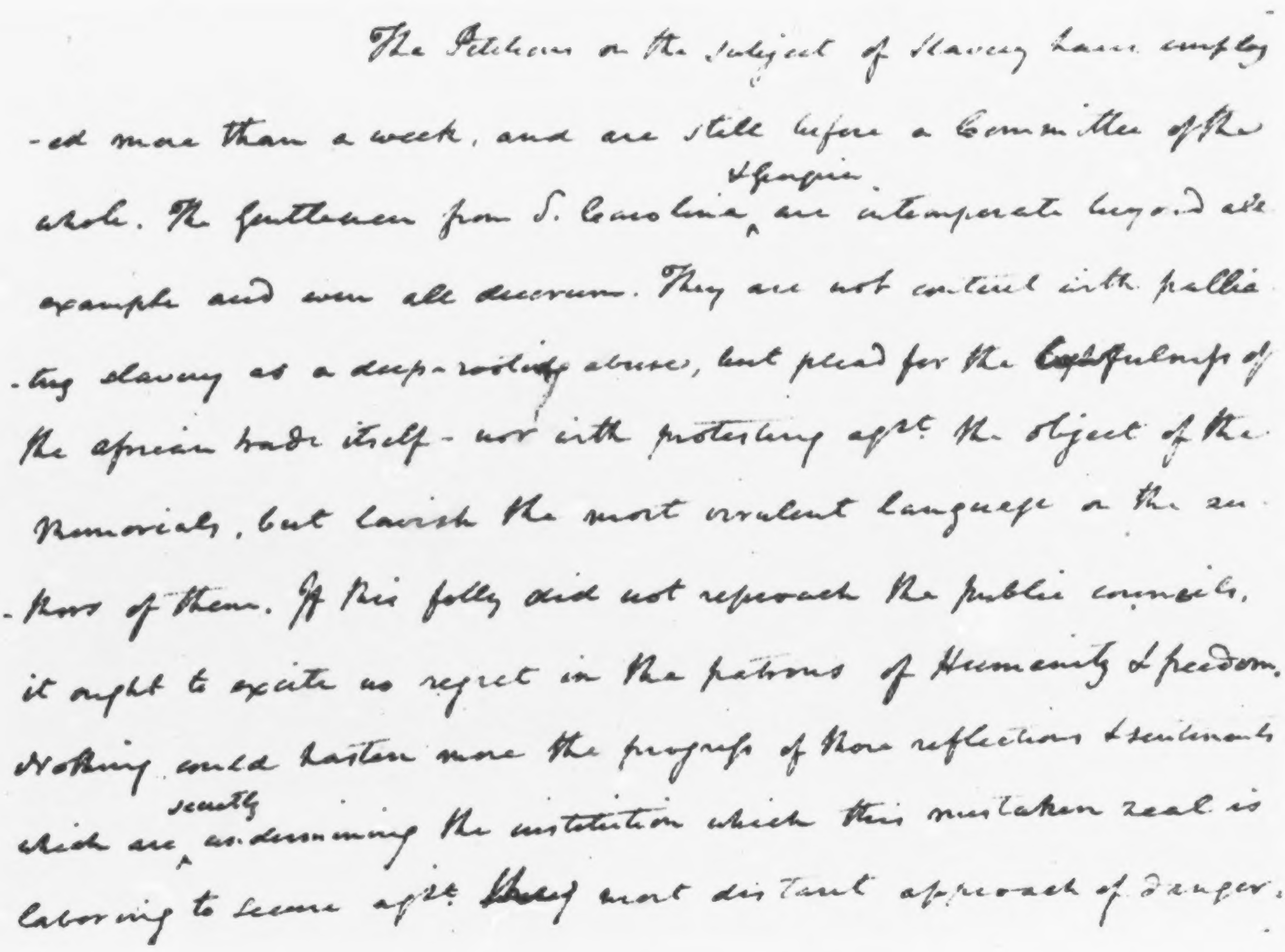
*"The same Subject continued," from* The Federalist, *paper no. 10, James Madison's copy. Rare Book and Special Collections Division, Library of Congress.*



I was assured by the Committee, that the only object the Senate had in view was to be informed of the mode of communication which would be most agreeable to the President, and that a perfect acquiescence would be yielded thereto—But I could plainly perceive notwithstanding, that oral communications was the point they aimed at.—Indeed one of the Gentlemen candidly declared that a great object with him, for wishing this, was, to effect a viva voce vote in that body (he added however that he was not without hopes of accomplishing this without)—To this I replied, finding all these were opposed to the balloting system, that nothing would sooner induce me to relinquish my mode of nominating by written messages, than to accomplish this end.—Thus the matter stands for my further consideration.

What do you think I had best do?—I am willing to pursue that line of conduct which shall appear to be most conducive to the public good, without regard to the indulgence of my own inclination which I confess, and for other reasons in addition to those which are enumerated, although they are secondary would not be gratified by personal nominations.—

*The two paragraphs from George Washington's August 9, 1789, letter to James Madison in which the president seeks Madison's advice on the proper mode of communicating nominations to the Senate. James Madison Papers, Manuscript Division, Library of Congress.*



The Petitions on the subject of Slavery have employ-ed more than a week, and are still before a Committee of the whole. The Gentlemen from S. Carolina & Georgia are intemperate beyond all example and even all decorum. They are not content with palliating slavery as a deep-rooted abuse, but plead for the lawfulness of the african trade itself - nor with protesting ag$^{st.}$ the object of the Memorials, but lavish the most virulent language on the authors of them. If this folly did not reproach the public councils, it ought to excite no regret in the patrons of Humanity & freedom. Nothing could hasten more the progress of those reflections & sentiments which are secretly undermining the institution which this mistaken zeal is laboring to secure ag$^{st.}$ ~~these~~ most distant approach of danger.

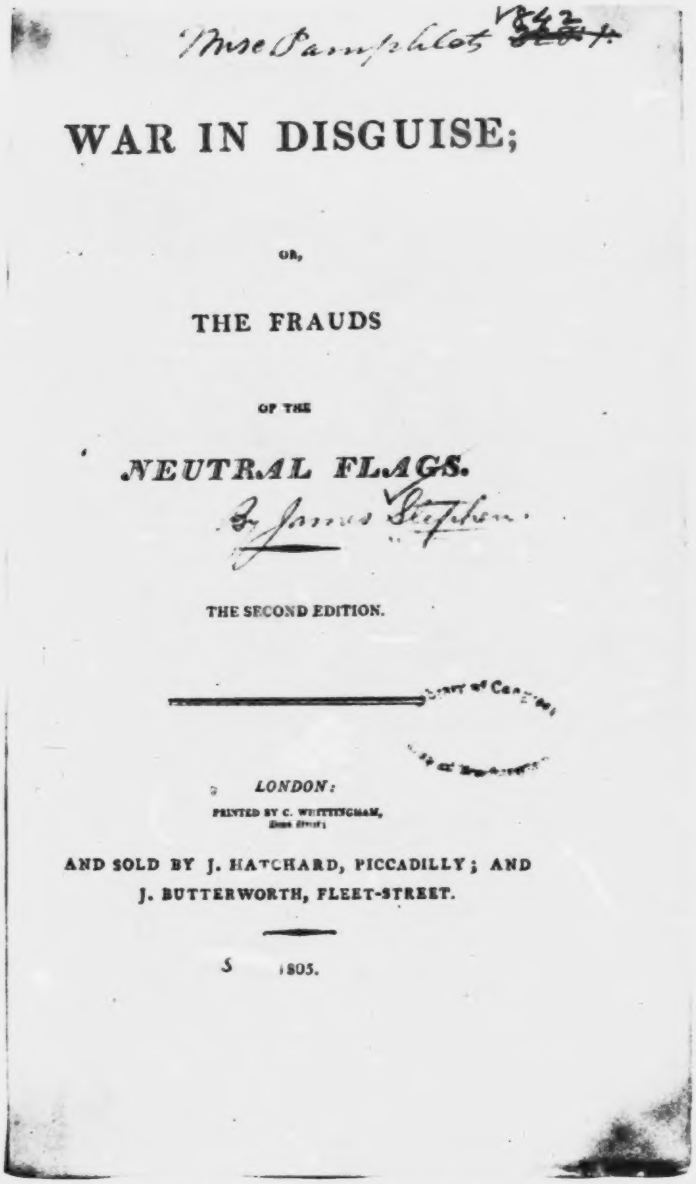
*A paragraph from James Madison's letter to Dr. Benjamin Rush on the subject of slavery, dated March 20, 1790. James Madison Papers, Manuscript Division, Library of Congress.*

> I was assured . . . that the only object the Senate had in view was to be informed of the mode of communication which would be most agreeable to the President, and that a perfect acquiescence would be yielded thereto.—But I could plainly perceive notwithstanding, that oral communications was the point they aimed at. . . .
>
> What do you think I had best do?—I am willing to pursue that line of conduct which shall appear to be most conducive to the public good, without regard to the indulgence of my own inclination which (I confess, and for other reasons in addition to those which are enumerated, although they are secondary) would not be gratified by personal nominations.

Although Madison's advice on the subject is not known, Washington decided against verbally presenting nominations to the potentially contentious Senate and, following an unsatisfactory personal appearance before that body in connection with certain treaties, he thereafter dealt with the Senate in writing with respect to treaties as well as nominations.

In the next year, while the First Federal Congress was still in New York, Madison wrote an unusually forthright letter on the subject of slavery to Dr. Benjamin Rush. Congressman Madison noted on March 20, 1790, that after a week of heated debate on Negro slavery, the matter was still before the Committee of the Whole:

> The Gentlemen from S. Carolina & Georgia are intemperate beyond all example and even all decorum. They are not content with palliating slavery as a deep-rooted abuse, but plead for the lawfulness of the African trade itself. . . . If this folly did not reproach the public councils, it ought to excite no regret in the patrons of Humanity & freedom. Nothing could hasten more the progress of these reflections & sentiments which are secretly undermining the institution which this mistaken zeal is laboring to secure ag$^{st.}$ the most distant approach of danger.



Misc Pamphlets 1842

# WAR IN DISGUISE;

OR,

THE FRAUDS

OF THE

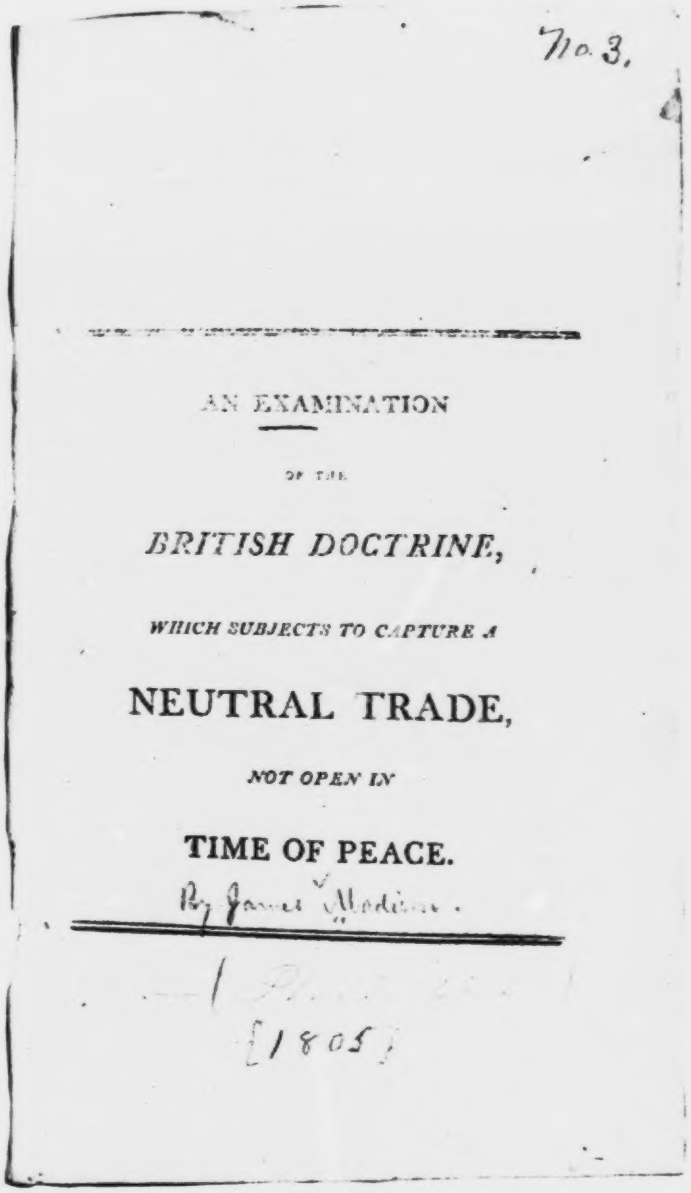
*NEUTRAL FLAGS.*

By James Stephen.

THE SECOND EDITION.

*LONDON:*
PRINTED BY C. WHITTINGHAM,
Dean Street;
AND SOLD BY J. HATCHARD, PICCADILLY; AND
J. BUTTERWORTH, FLEET-STREET.

1805.



No. 3.

AN EXAMINATION

OF THE

*BRITISH DOCTRINE,*

*WHICH SUBJECTS TO CAPTURE A*

NEUTRAL TRADE,

*NOT OPEN IN*

TIME OF PEACE.

By James Madison.

[1805]

*Replying to James Stephen's pamphlet* War in Disguise *(London, 1805), Madison composed* An Examination of the British Doctrine, Which Subjects to Capture a Neutral Trade, Not Open in Time of Peace, *published the same year in Philadelphia.*

seamen from those same vessels.[16] These developments greatly alarmed Madison from the summer of 1805 onward, and led him to urge Jefferson to strike in retaliation at the economy of the British West Indies by placing an embargo on their essential supplies of American food and lumber.[17] In this way, Madison hoped to punish the shipping interests in British society whom he regarded as the source of America's worst difficulties in its attempts to function as a neutral nation. The same remedy, he believed, was an equally appropriate response to the 1807 orders-in-council since these measures were directed toward goals very similar to those of the "rule of '56" by denying American merchants the right to carry neutral cargoes of colonial produce into the ports of continental Europe.[18]

Madison's belief that the embargo would succeed as a measure of coercion thus rested on his prediction that the loss of American supplies would cause such hardship in Great Britain's highly valued West Indian colonies that the British government would succumb to American pressure rather than permanently jeopardize the foundations of the West Indian commercial system.[19] These hopes, however, were not to be realized, partly because Great Britain stubbornly refused to admit that the embargo caused any hardship at all and partly because the United States was not able to enforce the policy for long enough to make it credible.[20] The main problem on the latter score was the development after March 1808 of a massive clandestine trade along the Great Lakes and the Saint Lawrence and Richelieu rivers, principally in lumber, provisions, and potash, much of which ultimately found its way through Canada to the West Indies.[21] As the American consul in Kingston reported to Madison at the beginning of 1809, the expected hardships for the West Indian planters were relieved to the extent that "the Canadas had furnished through the navy of Quebec flour to a greater magnitude than anticipated, as also the article of lumber which comprises the implement of conveyance of the produce of the colonies to the mother country."[22] Similar problems of enforcement also occurred with the nonimportation act passed in March 1811 as American merchants engaged in extensive smuggling from Passamaquoddy through Eastport as well as in the frontier regions between Lakes Ontario and Champlain.[23] The secretary of the treasury, Albert Gallatin, accordingly reported to Madison in October 1811 that it had become impossible to enforce a system of commercial restrictions adequately, and these considerations undoubtedly played a part in Madison's decision to shift from a policy of economic coercion to preparations for war with Great Britain.[24] Indeed, Madison had already become aware of the weaknesses of the policy earlier in the year, and he may have concluded after the experiences of 1808 and 1811 in enforcing restrictions that the conquest of Canada was the only satisfactory way to seal off the North American continent from British trade.[25]

The need for the United States to seize Canada as a way of obstructing British trade, furthermore, had been heightened by the decision of the British government after 1808 to foster the economic growth of the Canadian provinces to a far greater extent than had been attempted in the preceding years. This was particularly true in the case of the timber trade since the Royal Navy badly needed to develop alternative sources for the supply of timber and naval stores after Napoleon had succeeded in closing the Baltic timber markets to Great Britain in 1807. The development of the Canadian timber trade between 1807 and 1811 was very considerable, and it also encouraged the further growth of agriculture, immigration, and shipping in the Canadian provinces, particularly in Upper Canada and in the areas bordering the United States along the Great Lakes and the Saint Lawrence. In fact, Americans along these regions, especially New Yorkers, increasingly began to rely on the Saint Lawrence and the markets of Montreal as outlets for their trade in an attempt to escape the harmful effects on their livelihoods of the policies of commercial restriction against Great Britain that the Jefferson and Madison administrations were attempting to enforce after 1807. Madison previously had never regarded the Canadian provinces as particularly valuable parts of the British empire, but the American failure to enforce policies of commercial restriction along the Canadian frontier appears to have changed his thinking. Canada was becoming a serious obstacle to Madison's attempts to bring Great Britain to terms, not only because it created difficulties in policy enforcement for American officials but also because the economic growth of the British provinces themselves ultimately threatened to free the British empire from that dependence on American resources which was the very cornerstone of Madison's diplomacy of peaceable coercion. War to deprive Great Britain of Canada, therefore, was becoming increasingly necessary for the success of a policy which, ironically, had been originally intended to spare the United States from the need to resort to such a drastic remedy for its grievances.[26]

Yet the reasons for Madison's shift to a policy of preparing for war also included considerations that were more complex than the administrative difficulties of enforcing policies of economic coercion. As these policies failed on the practical level, political support for them within the Republican party also collapsed, thus creating severe political difficulties for Madison as he succeeded Jefferson to the presidency in March 1809. These problems were comthrough the select and standing committees of Congress whose members, in most cases, proved to be more than willing to support the president's wish for stronger measures. The committee chairmen, especially in the House of Representatives, urged their fellow congressmen to support preparations with the angry and impassioned rhetoric that dominated the proceedings of the "warhawk" Congress. It is important to stress here, though, that these warhawk congressmen were playing only an intermediary role in the making of policy rather than seizing the initiative themselves: the policies they defended were unmistakeably those of the president and his cabinet.[51] In this manner, then, Madison nudged the United States into preparing for the "second war of independence," and he was, at all times thereafter, very careful to shape his conduct in ways which left the final decision for peace and war to Congress itself according to the provisions of the Constitution. These procedural scruples, however, should not be mistaken for weakness or indecision on the part of Madison, for he had realized that the policies of the past were rapidly becoming untenable, and he did not shrink from the implications of that situation.[52] No Congress, moreover, has ever denied a request for a declaration of war when the president has decided that such a step was necessary, and, more than any other person in the nation, Madison was responsible for shifting the United States toward preparing for war as well as for seeking its declaration in June 1812 when the threat of preparations alone did not produce any apparent change in British policy. When opponents of the War of 1812 denounced the ensuing conflict as "Mr Madison's War," they knew, far better than many subsequent generations of historians, whereof they spoke.

## NOTES

1. For a brief discussion of the debate over Madison's capacity for presidential leadership, see Clifford L. Egan, "The Origins of the War of 1812: Three Decades of Historical Writing," *Military Affairs* 38 (1974): 73-74. See also Irving Brant, "Madison and the War of 1812," *Virginia Magazine of History and Biography* 74 (1966): 51-67; and Harry W. Fritz, "The War Hawks of 1812: Party Leadership in the Twelfth Congress," *Capitol Studies* 5 (1977): 29-30.

2. For Madison's remarks, see *The Debates and Proceedings in the Congress of the United States*, Joseph Gales, comp. (Washington: Gales and Seaton, 1834-56), 1st Cong., 1st sess., p. 213, and 3d Cong., 1st sess. p. 210. (Hereafter cited as *Annals of Congress.)*

3. See for background Louis M. Sears, *Jefferson and the Embargo* (Durham: Duke University Press, 1927), pp. 3-54; and Burton Spivak, "Jefferson, England and the Embargo: Trading Wealth and Republican Value in the Shaping of American Diplomacy, 1804-1809", (Ph.D. diss., University of Virginia, 1975), pp. 43-62.

4. The development of Madison's thought here is far from being as completely understood as it might be, but the best introductions to the subject are the unpublished works by Ralph Ketcham, "The Mind of James Madison," (Ph.D. diss., Syracuse University, 1956), pp. 88-110, 168-83, and Drew R. McCoy, "The Republican Revolution: Political Economy in Jeffersonian America, 1776-1817," (Ph.D. diss., University of Virginia, 1976), pp. 113-31.

5. See Robert Bittner, "Economic Independence and the Virginia Port Bill of 1784," in Richard A. Rutyna and Peter C. Stewart, eds., *Virginia in the American Revolution* (Norfolk: Old Dominion University Press, 1977), pp. 73-92.

6. Madison to George Washington, August 24, 1788, in James Madison, *The Papers of James Madison*, ed. William T. Hutchinson and William M. E. Rachal (vols. 1-7) and Robert A. Rutland et al. (vols. 8–)(Chicago: University of Chicago Press, 1962-77; Charlottesville: University Press of Virginia, 1978–), 11: 241.

7. *Annals of Congress*, 1st Cong., 1st sess., pp. 190, 192, 209; ibid., 3d Cong.,1st sess., pp. 214-15, 222, 291. Madison to Edmund Randolph, April 8, 1783, Madison, *Papers*, 6: 493.

8. Notes on "Trade and Shipping," May 14, 1790, gathered for a speech in Congress, Madison Papers Microfilm, Manuscript Division, Library of Congress, reel 4. See also, *Annals of Congress*, 3d Cong., 1st sess., pp. 233, 379.

9. Ibid., 1st Cong., 1st sess., pp. 248, 256; 3d Cong., 1st sess., pp. 156-57, 216, 605, 682. See also Madison to Thomas Jefferson, March 2 and 9, 1794, Madison Papers Microfilm, reel 5.

10. See Madison's *Political Observations* of April 20, 1795, in James Madison, *Letters and Other Writings of James Madison*, Congressional Edition, 4 vols. (Philadelphia: J. B. Lippincott, 1865), 4: 487-502.

THE TAKING OF THE CITY OF WASHINGTON IN AMERICA
THE CITY OF WASHINGTON THE CAPITAL OF THE UNITED STATES OF AMERICA WAS TAKEN BY THE BRITISH FORCES UNDER MAJOR GEN^L ROSS
A
B
C
D
E
F
G
H
K
L

*An artist's depiction of* The Taking of the City of Washington, August 24, 1814, *a wood engraving published in London, October 14, 1814, by G. Thompson. Prints and Photographs Division, Library of Congress.*

11. For a discussion of Madison's role in the imposition of the embargo, see Dumas Malone, *Jefferson the President: Second Term, 1805-1809* (Boston: Little, Brown, 1974), pp. 475-89.

12. To document Madison's awareness of the significance of the British West Indies, see Madison to Richard Henry Lee, July 7, 1785, in Madison, *Papers,* 8: 315; Madison to James Monroe, August 9, 1789, and Madison to Jefferson, May 25, 1794, in Madison Papers Microfilm, reels 4 and 5. See also *Annals of Congress,* 1st Cong., 1st sess., pp. 248-49; 1st Cong., 2d sess., p. 1626; 3d Cong., 1st sess., pp. 216, 174, 392. On the background to the American interest in the West India trade, see F. Lee Benns, *The American Struggle for the British West India Carrying Trade, 1815-1830* (Bloomington: University of Indiana Press, 1923), chap. 1.

13. For the history of these exemptions, see Alice B. Keith, "Relaxations in the British Restrictions on the American Trade with the British West Indies, 1783-1802," *Journal of Modern History* 20 (1948): 1-19.

14. See, for example, Madison to William Pinkney, July 21, 1808, William Pinkney Papers, Manuscript Collections, Firestone Library, Princeton University.

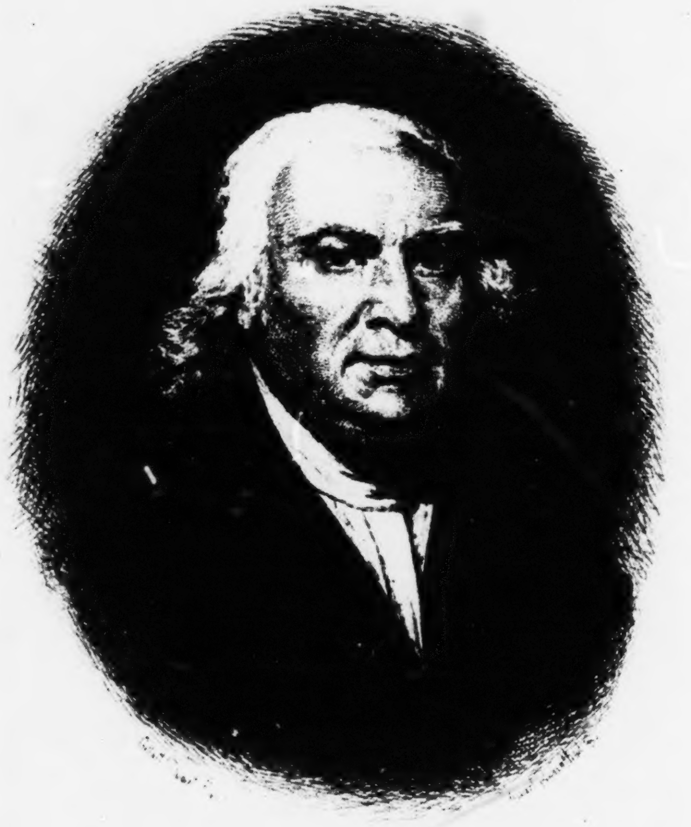
15. See, for example, the following British pamphlets: James Stephen, *War in Disguise: Or the Frauds of Neutral Flags* (London: J. Hatchard, 1805); John Lord Sheffield, *Strictures on the Necessity of Inviolably Maintaining the Navigation and*

together with the writings of Joseph Addison, set the literary standard for the English-speaking world for a century, assaulted the whole ethic, polity, and world view of the rising commercial Britain of Walpole. To them the new Britain was "Lilliputian" and Yahoo-like in its values and style as Swift satirized in *Gulliver's Travels*, and dull, dunce-like, and Midas-guided as Pope scorned in *The Dunciad*. The root trouble, these skilled writers thundered, was that the old values of selfless devotion to the common good, of piety and moral purpose, of patriotism, and of virtuous leadership were being sacrificed, deliberately, by the lust for wealth and the corrupt politics that went with it. Stunning literary efforts evoked a vision of an ancient English culture derived from the sages of Greece and Rome and the saints of Christianity whose standards of virtue and integrity and honor and community and love of country had a far richer, deeper appeal than the "commercialization of values" accepted by Walpole and his defenders.[1] And it was this world view that all of the early American presidents (through John Quincy Adams) absorbed and came themselves to value as they read and emulated the great works embodying it.

This positive sense of values, culture, and polity, moreover, had a revived relevance once the American revolutionary war had been won and attention could turn to the character of the new nation thus made independent. Especially important as Americans came to fashion their own executive office was the *political* dimension of the literary assault on Walpole's Britain that Bolingbroke had expressed first in his analysis of the corrupt parties of England and then in his prescription for the nation's ills, *The Idea of a Patriot King*, written in 1738 and thereafter widely reprinted and circulated on both sides of the Atlantic. Though condemned by many as a traitor, Tory, infidel, or rake, Bolingbroke was also the friend and confidant of Pope and Swift, and the brilliant historian-philosopher of their circle. Thus dignified and exalted, he demonstrated that in addition to the parliamentary cleansing and enlargement of freedom that the Radical Whigs proposed as an alternative to Walpole's oligarchy, Britain also needed a patriot king. Such a ruler would, in the manner of Elizabeth or Henry of Navarre, purge the nation of corrupt ministers, reestablish an authoritative national leadership, and through his good example and wise policies restore England's virtue, honor, and greatness.[2] It was this evocation, expressed eloquently and given immense prestige by its linkage to England's foremost writers, that would have special relevance as the framers of the Constitution first devised an executive office and then Washington and his successors had to fill it. In finding meaning for the constitutional phrase "the executive power shall be vested in a President," the early presidents found very little plainly given and very little clearly withheld. Thus, they had to call upon the most hallowed models and conceptions of leadership available to them—and the vivid word-pictures of the great Augustan writers, imaging as they did the accumulated wisdom and mythology of the classical-Christian tradition, were, at the propitious juncture, those best articulated and best positioned to be influential.

Madison thus shared with the other early presidents, Federalist and Republican alike, both the responsibility to give flesh and blood to their skeletal office, and the variously guised model of positive, patriot leadership upon which to draw. Though there were important differences among the first presidents, of course, it is also apparent that they agreed as to the need, ideally, for their office to be nonpartisan, and for it to exercise an important, guiding influence on the new nation. Furthermore, Madison, like Jefferson, felt that there was a particular need to accommodate a positive idea of executive leadership to the republican ideology of the American Revolution. Thus, the development of Madison's thinking about executive power reveals both his general affinity with the other pre-1829 presidents and his special colleagueship with Jefferson in making that office faithfully republican.

Initial experiences with executive power convinced both Jefferson and Madison that the governor's office under the first Virginia constitution was too weak, and each worked to strengthen executive "departments" under the Articles of Confederation. In 1782 Madison supported Robert Morris's insistance that his subordinates in the Department of Finance be responsible to him and not to Congress as a



*Robert Morris. Engraving by A. Rosenthal after a painting by Gilbert Stuart.*

whole, and even defended Morris against charges of what would now be called "conflict of interest." Madison was well aware, of course, that Morris mingled private and public business and that he increased his personal fortune while in office, but to Madison the crucial fact was Morris's public usefulness and his "honorable and patriotic" motives. Lacking proof of "misfeasance," Madison argued, "the same fidelity to the public interest which obliges . . . pursuit with every vigor [of] a perfidious or dishonest servant of the public, requires [exposure of] imputations of malice against the good and faithful one."[3] Clearly, Madison took seriously the concept of the public interest, thought devotion to it was the critical mark of the good official, and saw a compelling need for active, honest executives.

Madison's sense of the importance of government in the public interest was heightened during the 1780s by the poor performance of the state legislatures. His own experience in the Virginia legislature (1784–86) as well as his observation of other states—especially Rhode Island, where a "paper money faction" defaulted flagrantly on state debts and brazenly injured out-of-state interests—led him to an ominous implication. The unwise and unjust laws passed by these bodies "brings . . . into question the fundamental principle of republican Government, that the majority who rule in such Governments, are the safest Guardians both of public good and private rights." Madison complained of the "multiplicity," the "mutability," and the "impotence" of state laws as "nuisances" and impractical and even "vicious," but his deepest objections were to the *quality* of state laws: they lacked wisdom and virtue. The dilemma of finding the basic principle of republican government (majority rule) working against the even more fundamental need for just laws was for Madison compounded because the source of this malfunction was to be found not only in the tendency toward imprudence and corruption in the representatives, but "more fatally [in] . . . the people themselves." That is, a host of private interests, real and imagined, divided the people of the states into conflicting groups that generally overcame whatever virtuous motives might be expected to arise from "a prudent regard to their [the people's] own good as involved in the general and permanent good of the community," or from a "respect for character," or from religious conviction. The states left to themselves, Madison concluded, seemed invariably to trample on both private rights and the public good, despite the fact that the states more fully embodied the radical Whig principle of legislative supremacy than any other governments in the world.

To cope with this discouraging development, Madison argued that in "an extended republic," on the continental scale of the United States, "a greater variety of interests, of pursuits, of passions [would] check each other." Thus, the general government would be less likely to act unjustly and should therefore have "a negative" on the laws of the states, a power he advocated throughout the federal convention and, privately, even for some months afterward. "The great desideratum," he concluded, was "such a modification of the Sovereignty as will render it sufficiently neutral between the different interests and factions." But "neutrality" meant for public view, would make a difference both in how he acted and in how the nation responded to him. Such an intention and stance, moreover, was especially important in a republic because it might influence public perceptions of the presidency and thus affect the range and character of leadership possible in the nation. Madison and his early presidential colleagues thus saw their antiparty, patriotic, positive conception of national leadership not as elitist, arrogant, naive, or undemocratic, but rather as vital to any prospect that self-government might also be good government. Madison's realism about the irrepressible causes of faction led him, in framing the Constitution, to guard against their influence and against any concentration of power that would allow greed and ambition to be dangerous to liberty. But he also regarded virtuous (that is, nonpartisan) leadership as vital to what Swift called "The Public Good," and he was willing, indeed determined, to encourage such leadership even if it meant putting some restraint on direct, popular government. In so acting, moreover, Madison believed not that he showed hostility to self-government, but rather that he was being a wise and creative democrat. As his collaborator, Jefferson, said so clearly and so often, the true test of a republic was whether or not it cultivated talent and virtue. Neither he nor Madison, furthermore, ever doubted that wise leadership, above party, could provide critical assistance in meeting that test. Such, at any rate, was the aspiration, the republican commitment, and the conception of the presidency that guided Madison as he first devised and then filled the office that for two centuries has focused the hopes as well as the forebodings of the American people.

## NOTES

1. Isaac Kramnick's *Bolingbroke and His Circle: The Politics of Nostalgia in the Age of Walpole* (Cambridge: Harvard University Press, 1968) explains the outlook of Walpole's brilliant literary critics.

2. Bolingbroke's *Idea of a Patriot King* is reprinted in Jeffrey Hart, ed., *Political Writers of Eighteenth-Century England* (New York: Knopf, 1964), pp. 195-257.

3. Madison to Edmund Randolph, June 4, 1782, in James Madison, *Papers of James Madison,* ed. William T. Hutchinson and William M. E. Rachal (vols. 1-7) and Robert A. Rutland et al. (vols. 8–) (Chicago: University of Chicago Press, 1962–77; Charlottesville: University Press of Virginia, 1978–), 4:313.

4. Madison, "Vices of the Political System of the U. States," April 1787; ibid., 9:353-57.

5. Sherman, speech, June 1, 1787 in Max Farrand, ed., *The Records of the Federal Convention,* 4 vols. (New Haven: Yale University Press, 1937), 1:65.

6. E. S. Corwin, *The President: Office and Powers* (New York: New York University Press, 1940), p. 15.

7. R. King's notes of Madison's speech, June 4, 1787; speeches of June 6, July 17, and July 21, 1787, in *Madison Papers,* 10:25, 35, 103-4, 111.

8. Madison to Jefferson, October 24, 1787, ibid., 10:207-8.

9. Federalist paper no. 57.

10. G. Morris, speech, July 19, in Farrand, *Records,* 2:52-54.

11. Taken from Wilson's speeches at the Pennsylvania Constitutional Convention, where he extended the arguments he had begun in 1787. Speeches of January 1790, quoted in Geoffrey Seed, *James Wilson* (Millwood, N.Y.: KTO Press, 1978), pp. 34-37.

12. Federalist paper no. 10.

13. Madison, essay on "Spirit of Governments," *National Gazette,* February 20, 1792, in James Madison, *The Writings of James Madison,* ed. Gaillard Hunt, 9 vols. (New York: G. P. Putnam's sons, 1900-1910), 6:70; Lance Banning, "Republican Ideology and the Triumph of the Constitution, 1789 to 1793," *William and Mary Quarterly* 31 (April 1974): 183.

14. R. Ketcham, "James Madison: The Unimperial President," *Virginia Quarterly Review* 54 (Winter 1978), esp. pp. 129-35; Gallatin to Jefferson, March 10, 1812, in Albert Gallatin, *The Writings of Albert Gallatin,* ed. Henry Adams, 3 vols. (Philadelphia: J. B. Lippincott & Co., 1879), 1:517.

15. Adams to Jefferson, February 2, 1817, in Lester Cappon, ed., *The Adams-Jefferson Letters,* 2 vols. (Chapel Hill: University of North Carolina Press, 1959), 2:508.

16. Bolingbroke in *The Craftsman,* February 24, 1728, quoted in B. A. Goldgar, *Walpole and the Wits: The Relation of Politics to Literature, 1722-1742* (Lincoln: University of Nebraska Press, 1976), p. 57; Monroe, First Inaugural Address, March 4, 1817, and Second Inaugural Address, March 4, 1821, in James D. Richardson, ed., *Messages and Papers of the Presidents,* 20 vols. (Washington: U.S. Government Printing Office, 1897-1917), 2:579, 662.

# Madison's America

## Polity, Economy, and Society

### by Drew R. McCoy

During his long and distinguished public career, James Madison wrestled with several fundamental problems in "political economy" that never ceased to trouble him. At stake, in his mind, was nothing less than the fate of the American Revolution itself. If the security of America's republican institutions depended in the long run on the maintenance of a modicum of social and economic equality among an independent, virtuous citizenry, as virtually all republican theorists since James Harrington have suggested, Madison's occasional glimpses into his country's future elicited a sobering pessimism. Compared to Europe, of course, revolutionary America—blessed with a relatively even distribution of wealth and an abundance of land—seemed peculiarly suited for its ambitious experiment in republican government. But Madison perceived an ominous and inexorable pattern of social change in his native land that promised eventually to erase any distinctions between the Old and New Worlds: "we see in the populous countries in Europe now," he characteristically warned his fellow delegates to the Constitutional Convention in 1787, "what we shall be hereafter."[1] And the "Father of the Constitution" never doubted that as his country came inevitably to resemble aged and corrupt European social forms, republican government would confront unprecedented, and potentially lethal, challenges to its integrity.

As both heirs of Madison's republican tradition and inhabitants of the society he foresaw, it behooves us to explore the dynamics of his republican vision and particularly the basis of his persistent fears. By undertaking the creation of a political system that would not rely for its stability on the force of a monarch, privileged aristocrats, an established clergy, or a standing army, eighteenth-century republicans self-consciously assumed an awesome responsibility. As Madison and his fellow revolutionaries never tired of reminding themselves, a republic necessarily depended upon a virtuous citizenry

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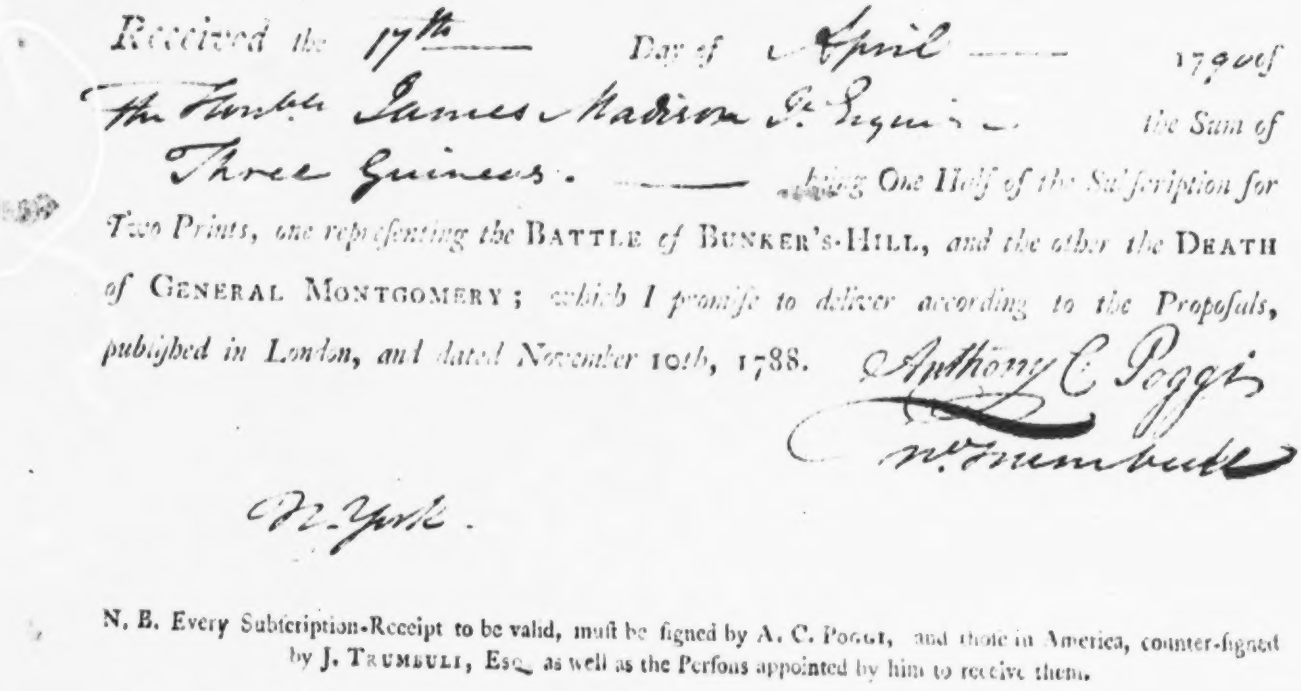


Received the 17th Day of April 1790 of the Honble James Madison Jr. Esquire the Sum of Three Guineas. being One Half of the Subſcription for Two Prints, one repreſenting the BATTLE of BUNKER'S-HILL, and the other the DEATH of GENERAL MONTGOMERY; which I promiſe to deliver according to the Propoſals, publiſhed in London, and dated November 10th, 1788. Anthony C. Poggi

Jno. Trumbull

N-York.

N. B. Every Subſcription-Receipt to be valid, muſt be ſigned by A. C. POGGI, and thoſe in America, counter-ſigned by J. TRUMBULL, Esq. as well as the Perſons appointed by him to receive them.

*This April 17, 1790, receipt is for James Madison's payment of three guineas as half the subscription fee for two prints. James Madison Papers, Manuscript Division, Library of Congress.*

By way of contrast, a receipt dated April 17, 1790, and countersigned by Anthony C. Poggi and John Trumbull, constituted Madison's payment of three guineas "being One Half of the Subscription for Two Prints, one representing the BATTLE of BUNKER'S-HILL, and the other the DEATH of GENERAL MONTGOMERY."

Further evidence of Madison's interest in arts and letters is a letter of introduction of August 5, 1791, in behalf of a Mr. Childs, addressed to Judge Joseph Jones of Fredericksburg, Virginia. Childs is identified as a long-time New York printer who is to be associated with Philip Freneau in the publication of a new gazette. Madison pronounces his evaluation of Freneau: "He is a man of genius, of literature, of experience in the business he is to conduct, and of great integrity." Of course it should be noted that Freneau's venture, the *National Gazette* of Philadelphia, was started with Jefferson's and Madison's encouragement to counter John Fenno's pro-Hamilton *Gazette of the United States*. Madison's interest in Freneau's newspaper was; therefore, both aesthetic and political.

Secretary of State Madison's letter of July 13, 1801, to William Jones (later secretary of the navy) is of retrospective importance for its delicate handling of the question of possible Russo-American diplomatic relations. According to Madison's biographer, Irving Brant, during the summer of 1801 Federalists feared that President Jefferson and his secretary of state, Madison, would join the Northern powers (Russia, Sweden, Denmark, and Prussia) in armed neutrality against England. However, if Jefferson and Madison were in favor of such a compact, they would do no more than rejoice at its success.[1] The extremely careful tenor of the letter underscores Secretary Madison's cautious approach to the diplomatic recognition of Russia: "Besides the difficulty of finding a Citizen well qualified for the service & willing to undertake it, there has been no regular proof as yet that a Consul would be received there. On the contrary I understand, that an experiment has been heretofore made for that purpose, without success. . . . Still however the appointment of a Consul under certain precautions might perhaps be properly made. . . ." A postscript to the letter indicates that the posts of consul and vice-consul at New Orleans would remain as they were by President Jefferson's personal decision.

While James Monroe was in London trying to settle a number of vexing disputes between the United States and Great Britain, he wrote a letter of introduction on September 25, 1804, in behalf of Col. William Tatham (1752–1819) to Secretary of State Madison. Monroe noted that Tatham was an American who had served as an engineer on the London docks and was knowledgeable in "the use of water to mecanical purposes, in canals &c." and would undoubtedly be useful in a similar capacity in the United States. Although Madison's reception of him is unrecorded, Tatham, a civil engineer and geographer, has been characterized as a "man of brilliant parts and great versatility, but . . . eccentric and lacking in mental poise."[2] He was, however, of sufficient intellect to sustain a lengthy correspondence with Thomas Jefferson; forty-three Tatham-Jefferson items dated from 1789 to 1809 are in the Manuscript Division's Jefferson Papers.

The value of serendipity is elucidated once again when we realize that a letter of James Dinsmore (the caretaker of Madison's estate, Montpelier, in Orange County, Virginia) dated November 21, 1809, has been in the Madison Papers for over a century. Dinsmore's letter posed a number of specific questions concerning the renovation of the interior of Montpelier. In July 1972, the Winyah Indigo Society of Georgetown, South Carolina, presented the Library with Madison's succinct reply of December 16, 1809. Madison instructed Dinsmore not to open a door from the center room to the kitchen "as that room will not probably be a permanent Dining room." Additionally, Dinsmore had asked the width of the sheet iron Madison had purchased "for on that depends the arrangement of the Joist with respect to the Main gutters to receive the water from the minor ones." In his reply, Madison specified that the width was eighteen inches and that Dinsmore was to proceed accordingly.

On May 30, 1816, President Madison wrote a letter to Sir John Sinclair, then in retirement after having served in Parliament, on the King's Privy Council, and as the first president of the Board of Agriculture, on a question of particular relevance to presidential collections in the present-day Library of Congress. Sir John had sent the president a facsimile copy of a Washington letter. Madison, in his reply, tried to temper his lack of enthusiasm for such copies by emphasizing the importance of preserving original letters. He added: "Should you finally determine . . . to send to the U. States, the original letter, I can not point out a better depository, in the first instance, than the office of the Secretary of State, from which it may be transferred to any other deemed more suitable, either now existing or that may hereafter present itself." The institution which was eventually "deemed more suitable" was the Library of Congress, which received the Washington Papers from the Bureau of Rolls and Library of the Department of State on June 29, 1904.

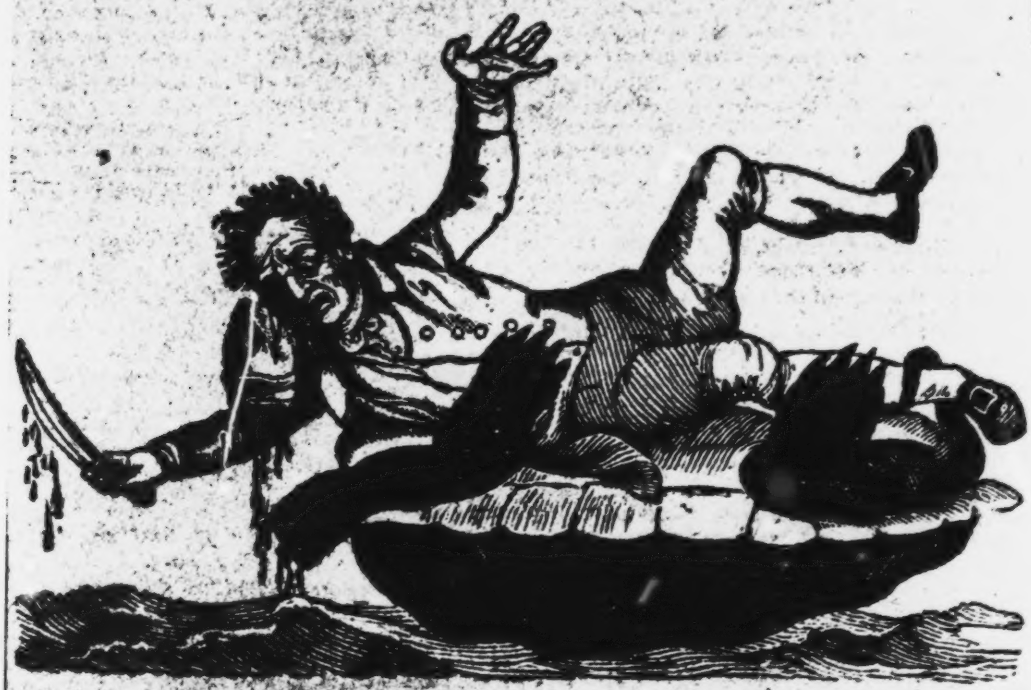
Among the most important Madison manuscripts acquired by the Library in recent years is the famous Madisonian veto of the Bonus Bill. This document, dated March 3, 1817, is unusually significant because it represents a sharp reversal of a trend toward growing federal involvement in the expansion of the naval, military, and banking establishments as well as improvements in internal transportation. In vetoing the Bonus Bill, which would have divided the nation's banking surplus among the states, Madison cited constitutional limitations as the basis for his action.[3]

On September 14, 1824, Madison, then in retirement at Montpelier, responded to an urgent request from Le Ray de Chaumont, who had aided both Benjamin Franklin and John Paul Jones during the American Revolution, concerning the progress of agricultural societies in Virginia. Madison wrote Chaumont that he could only answer in a general way "that the Agricultural Societies in this State are thought to have had a valuable effect in exciting attention & emulation on subjects of Rural Economy, and in circulating instruction on them." While disclaiming special knowledge of statewide developments, Madison commented: "In the district in which I live I observe an increasing improvement in the methods of manuring & cultivating the Soil, and the management of crops; tho' I cannot say as much with respect to the animal

## *DEATH OF THE EMBARGO, WITH ALL ITS "RESTRICTIVE ENERGIES."*

A wit first celebrated this great event in the FEDERAL REPUBLICAN, in the manner to be seen below; but he has had the politeness to revise and correct the article for the Evening Post, with additions: in this improved state it is now presented to our readers, aided by an appropriate engraving devised by the author and admirably executed by one of our fellow-citizens. Here it comes—

"TO THE GRAVE GO SHAM PROTECTORS OF "FREE TRADE AND SAILORS' RIGHTS"—AND ALL THE PEOPLE SAY AMEN!"



### TERRAPIN'S ADDRESS.

Reflect, my friend, as you pass by;
As *you* are, now, so, once, was *I*;
As *I* am now, so you may be:—
Laid on your back to die like me!
I was, indeed, true Sailor born;
To quit my friend, in death, I scorn.
Once Jemmy *seem'd* to be my friend,
But, basely, brought me to my end!
Of head bereft, and light, and breath,
I hold *Fidelity*, in death;—
For "*Sailor's Rights*" I still will tug;
And, Madison to death I'll hug,
For his perfidious zeal display'd,
For "*Sailor's Rights and for Free Trade.*"
This small atonement I will have—
*I'll tug down Jemmy to the grave.*
Then Trade and Commerce shall be free
And Sailors have their liberty—
Of head bereft, and light, and breath,
The *Terrapin*, still true in death,
Will punish Jemmy's perfidy:
Leave *Trade*, and *brother Sailors Free!*

### PASSENGERS REPLY.

Yes Terrapin, bereft of breath,
We see thee faithful still, in death:
Stick to't—"*Free Trade and Sailor's Right*:
Hug Jemmy—press him—hold him—bite—
Ne'er mind thy head—thou'lt live without it,
Spunk will preserve thy life—don't doubt it—
Down to the grave t'atone for sin,
Jemmy must go, with Terrapin.
Bear *him* but off, and we shall see
*Commerce restor'd* and *Sailors Free!*
Hug, Terrapin, with all thy might,
Now for "*Free Trade* and *Sailor's Right*:"
Stick to him, Terrapin, to thee the nation
Now eager looks:—then die for her salvation.

FLOREAT RESPUBLICA.

Banks of Goose Creek,
City of Washington,
15th April 1814.

pounded by the fact that Madison was not the unanimous choice of the Republican party as Jefferson's successor and that the election of 1808 had consequently established a complex and difficult set of relationships between diplomatic and political issues that was to plague the fourth president throughout his first term. Those Republicans who refused to accept Madison as president—notably the supporters of Vice President George Clinton of New York and James Monroe of Virginia—also rejected Madison's attempts to continue the past policies of economic coercion. Since 1805 Monroe had advocated an accommodation with Great Britain on terms which Madison had always regarded as not sufficiently favorable to the United States, while the Clintonians called for a more aggressive policy of making naval and military preparations for defending America's neutral rights. Monroe's views commanded little support among Republicans outside Virginia—although opposition in his home state was in itself a considerable embarrassment for Madison—but events after 1809 made the arguments of the Clintonians increasingly attractive to influential Republican leaders in other states. As this development occurred, the president's political position also steadily deteriorated.[27]

*James Monroe led Republican opposition to Madison in his home state of Virginia. Portrait after Gilbert Stuart by C. Holl. Prints and Photographs Division, Library of Congress.*

The Clintonians could win support easily enough in New Jersey, while in Pennsylvania their adherents came to include United States Senator Michael Leib and William Duane, the editor of the influential Republican newspaper the *Aurora General Advertiser.* Hardly less important as opponents of the administration were the Smith brothers of Maryland. Robert Smith after 1809 was Madison's secretary of state, and Samuel was a prominent member of the United States Senate. The Smith family of Baltimore, moreover, had married several times into the important Nicholas and Randolph families of Virginia, and the political influence of this network of Smith and Nicholas cousins and in-laws was considerable. It was effective mostly in Virginia and Maryland, but there were also Nicholases active in Republican politics as far away as upstate New York. Wilson Cary Nicholas, together with United States Senator William B. Giles of Virginia, had been instrumental in lining up the support of the majority of Virginian Republicans behind Madison's bid for the presidency in 1808 rather than behind that of Monroe and the faction known as the "Old Republicans" led by John Randolph of Roanoke, but after 1809 both these Republican leaders abandoned Madison. Nicholas retired from politics altogether, while Giles began to oppose administration-sponsored measures in

*The embargo against Great Britain, a measure Madison supported from 1807, would later be represented by a terrapin helplessly on its back struggling with Madison to regain its feet. The president is portrayed here as having just lopped off the reptile's head, referring to his asking—after Napoleon's defeat—for the repeal of the embargo in effect from December 1813 through April 1814. Shipping interests on both sides of the Atlantic were hostile toward restrictions on trade.* Death of the Embargo, *metal cut, after J. W. Jarvis, from the* New York Evening Post, *April 25, 1814.*

*Colonial System of Great Britain,* 2d ed. (London: W. Bulmer, 1806); and Joseph Marryat, *Concessions to America the Bane of Britain, or the Cause of the Present Distressed Situation of the British Colonial and Shipping Interests Explained and the Proper Remedy Suggested* (London: W. J. and J. Richardson, 1807).

16. For these developments, see Bradford Perkins, *Prologue to War: England and the United States, 1805-1812* (Berkeley and Los Angeles: University of California Press, 1961), pp. 67-101.

17. Madison to Jefferson, August 20 and September 14, 1805, Jefferson Papers Microfilm, Manuscript Division, Library of Congress, reel 34.

18. The *National Intelligencer,* December 25, 1807, justified the embargo on the grounds that it would "coerce the settlement of long-standing and complicated accounts." For Madison's authorship of this editorial, see Irving Brant, *James Madison: Secretary of State, 1800-1809* (Indianapolis: Bobbs-Merrill, 1953), pp. 402-3.

19. Madison to Jefferson, August 14, 1808, Jefferson Papers Microfilm, reel 42.

20. See Perkins, *Prologue to War,* pp. 140-83.

21. Sears, *Jefferson and the Embargo,* pp. 90, 93, 95, 201. Israel I. Rubin, "New York and the Long Embargo," (Ph.D. diss, New York University, 1961), pp. 107-40.

22. William Savage to Madison, January 20, 1809, Despatches from United States Consuls in Kingston, Jamaica, Department of State, Record Group 59, Microcopy T 31, reel 1, National Archives.

23. Herbert Heaton, "Non-Importation, 1806-1812," *Journal of Economic History* 1 (1941): 193-98.

24. Gallatin sent Madison an annotated copy of a "Treasury Circular" dated October 7, 1811, describing and warning about the infractions of the law. See Madison Papers Microfilm, reel 13.

25. Madison to Richard Cutts, May 23, 1811, Cutts Collection of the Papers of James and Dolley Madison, University of Chicago (microfilm copy in Manuscript Division, Library of Congress).

26. For a more detailed and documented discussion of the material in this paragraph, see J. C. A. Stagg, "James Madison and the Coercion of Great Britain: Canada, the West Indies, and the War of 1812," paper presented at the Library of Congress, April 4, 1979.

27. For the background to these disputes, see J. C. A. Stagg, "James Madison and the 'Malcontents:' The Political Origins of the War of 1812," *William and Mary Quarterly,* 3d ser. 33 (1976): 561. See also the series of letters written by George Clinton to Pierre Van Courtlandt, February 5, 7, 20 and March 10, 1808, December 21, 1809, and January 24, 1810, Pierre Van Courtlandt, Jr., Papers, Manuscript Room, New York Public Library.

28. Stagg, "Madison and the 'Malcontents,'" pp. 562-66; and Ronald L. Hatzenbuehler, "Foreign Policy Voting in the United States Congress, 1808-1812," (Ph.D. diss, Kent State University, 1972), pp. 313, 317, 346, 354, 373-87.

29. See Frank A. Cassell, *Merchant Congressman in the Young Republic: Samuel Smith of Maryland, 1752-1839* (Madison: University of Wisconsin Press, 1971), pp. 147-53; [Joseph Gales], "Recollections of the Civil History of the War of 1812 by a Contemporary," *Daily National Intelligencer* (Washington, D.C.), September 12, 1857.

30. Duane was experiencing severe financial difficulties in 1811, for which he held Gallatin responsible, and this situation explains much of the bitter tone of his correspondence and editorial opinions. See, in particular, William Duane to [Joseph C. Cabell?], June 16, 1811, Joseph Carrington Cabell Papers, Manuscript Collections, Alderman Library, University of Virginia.

31. See Clinton's letters to Pierre Van Courtlandt, cited in note 27, and Clinton to Edmond Genet, March 3, 1811, Edmond Genet Papers Microfilm, Manuscript Division, Library of Congress, reel 9. See also Stagg, "Madison and the 'Malcontents,'" p. 565.

32. [Gales], "Recollections of the Civil History of the War of 1812" for September 27, 1810, *Daily National Intelligencer,* July 30, 1857.

33. Henry Adams, *History of the United States during the Administrations of Jefferson and Madison,* 9 vols. (New York: Charles Scribner's, 1891-96), 5: 296-304, 340-56, 6: 62-66; Perkins, *Prologue to War,* pp. 250-60.

34. See [Gales], "Recollections of the Civil History of the War of 1812," as cited in note 32.

35. [Gales], "Recollections of the Civil History of the War of 1812" for January 30, 1811, *Daily National Intelligencer,* August 8, 1857. John Philip Morier to Lord Wellesley, December 28, 1810, and February 4, 1811, Foreign Office, Series 5, vols. 70 and 74 (photostats for Great Britain, Public Record Office, in Manuscript Division, Library of Congress).

36. Martin Van Buren, *The Autobiography of Martin Van Buren,* ed. J. C. Fitzpatrick (Washington: U. S. Government Printing Office, 1920), p. 42.

37. John Armstrong to Samuel Smith, September 1809 and January 17, 1810, Ferdinand Dreer Autograph Collection, Historical Society of Pennsylvania, Philadelphia. Armstrong to Ambrose Spencer, February 15, 1811, William Astor Chanler Collection of John Armstrong Photostats, New York Historical Society, New York.

38. [Gales], "Recollections of the Civil History of the War of 1812; for November 13, 1810, *Daily National Intelligencer,* July 30, 1857. Armstrong was certainly involved with discontented Republican factions in intriguing against the administration, though it is difficult to be certain how far he committed himself to any of their schemes. The administration believed, however, that Armstrong could be counted as one of Madison's opponents. As William Lee—who was fairly reliably informed about administration thinking in the first half of 1811—reported: "General A. has conducted so like the devil . . . as to lose all his standing. He has attacked everyone . . . [and] has retired to his farm in the state of New York, deserted by all the friends of the administration against which he was discovered to be intriguing with Mr Smith." William Lee to Susan Lee, September 9, 1811, Lee-Palfrey

Family Papers, Manuscript Division, Library of Congress.

39. Gallatin to Madison, [March 4, 1811], *The Papers of Albert Gallatin*, microfilm edition, ed. Carl Prince and Helen Fineman, reel 22.

40. Madison to Jefferson, March 18, 1811, Madison Papers Microfilm, reel 13.

41. For the background on the Regency in Great Britain, see J. Steven Watson, *The Reign of George III, 1760-1815* (Oxford: The Clarendon Press, 1960), pp. 489-91. Madison's hopes for a change in British policy during the Regency were doubtless reinforced by the fact that the Prince of Wales had personally told the American minister to Great Britain that he strongly disapproved of the actions of his father's ministers toward the United States. See Pinkney to Robert Smith, October 18, 1809, Dispatches from United States Ministers to Great Britain, Department of State, Record Group 59, Microcopy 30, reel 12, National Archives.

42. Armstrong to Spencer, March 19, 1811, Chanler Collection, New York Historical Society; see also Madison's "Memorandum as to R. Smith," April 1811, Madison Papers Microfilm, reel 13.

43. This news was made public in a postscript to the *National Intelligencer*, April 9, 1811.

44. On March 19, 1811, the *National Intelligencer* had confidently observed that George III would not recover from his illness and that the Prince Regent would form a new Whig ministry. On April 9, 1811 the *National Intelligencer* reported that George III was already recovering, which led Madison to note shortly afterward that the king's convalescence reduced the regent to a "cypher" and guaranteed that Spencer Perceval's Tory ministry would remain "inflexible in its folly and depravity." Madison to Jefferson, April 19, 1811, Madison Papers Microfilm, reel 13.

45. *National Intelligencer*, April 16, 1811. For confirmation that the editorial reflected Madison's thinking, see [Gales], "Recollections of the Civil History of the War of 1812" for April 13 and 16, 1811, *Daily National Intelligencer*, August 8, 1857.

46. See Stagg, "Madison and the 'Malcontents,'" pp. 578-80.

47. Perkins, *Prologue to War*, pp. 276-82.

48. Augustus Foster to Lord Wellesley, August 5, 1811, Foreign Office, Series 5, vol. 76 (photostats for Great Britain, Public Record Office, in the Library of Congress).

49. *National Intelligencer*, August 17, 1811.

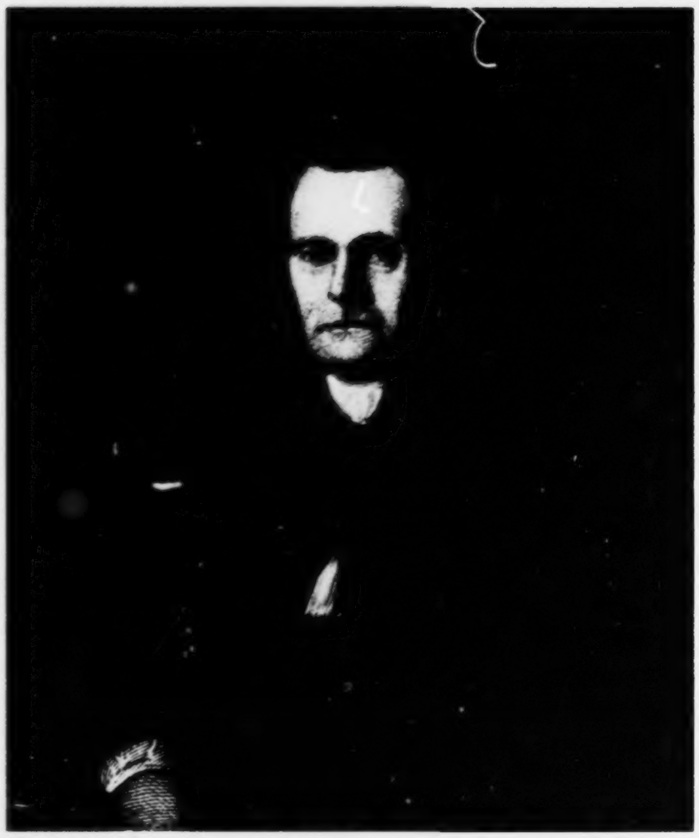
50. For a more extended discussion of the points in this paragraph, see Stagg, "Madison and the 'Malcontents'," pp. 581-84; and Stagg, "Madison and the Coercion of Great Britain," pp. 35-39.

51. Madison sent his message to Congress asking for preparations for war on November 5, 1811. For evidence of administration contact with members of congressional committees throughout the first session of the Twelfth Congress, see Peter B. Porter to Monroe, November 19, 1811, Miscellaneous Letters of the Department of State, Department of State, Record Group 59, Microcopy 179, reel 24, National Archives; also William Eustis to David R. Williams, November 30, 1811, and January 9, 1812, and Eustis to Langdon Cheves, December 3, 5, and 10, 1811, all in Reports to Congress from the Secretary of War, Department of War, Record Group 107, Microcopy 220, reel 2, National Archives. Also "Minutes of the Committee on Foreign Relations," February 6, 11, and March 9, 24, 1812, Peter B. Porter Papers, Buffalo and Erie County Historical Society, Buffalo, New York; and Porter to Monroe, March 24 and 30, 1812, James Monroe Papers, Manuscript Room, New York Public Library. For further discussion of this point, see Ronald L. Hatzenbuehler, "The War Hawks and the Question of Congressional Leadership in 1812," *Pacific Historical Review* 45 (1976): 1-22.

52. For a discussion of Madison's belief in the importance of observing constitutional forms, see Abbot Smith, "Mr Madison's War: An Unsuccessful Experiment in the Conduct of National Policy," *Political Science Quarterly* 57 (1942): 229-46; and Ralph Ketcham, "James Madison: The Unimperial President," *Virginia Quarterly Review* 54 (1978): 116-36.

Madison a point of view that was impartial, disinterested, above party, such as "the prince...in absolute Monarchies" had in judging among his subjects. Madison argued that giving power to those being governed would thwart the characteristic vice of the absolute sovereign, that of sacrificing the happiness of his people "to his ambition or his avarice," but the need remained of guarding against the defects of self-government.[4] On the eve of the federal convention, then, Madison espoused traditional views of the inherent evil of factions, of the tendency of them to be dominant in legislative bodies, and of the possibility that some form of executive power might help prevent these calamities.

At the convention, however, Madison met powerful advocates of more Whiggish views of executive power. Roger Sherman of Connecticut, a ready defender of legislative power, "considered the Executive Magistracy as nothing more than an institution for carrying the will of the Legislature into effect." The legislature, Sherman insisted, "was the depository of the supreme will of the Society" and was therefore "the best judge of the business which ought to be done by the Executive department."[5] Sherman sought definition of executive powers by the



*Roger Sherman. Engraving by S. S. Jocelyn, New Haven, Connecticut, from a painting by Ralph Earl.*

*Gouverneur Morris. Engraving by J. B. Longacre from a painting by T. Sully.*

*James Wilson. Painting by James Peale.*

legislature, he proposed various schemes for a plural executive and for its election by the legislature, and he objected to an executive veto. He was insistent, that is, that the national government as much as possible reflect the principle of legislative supremacy as it existed in the most Whiggish state constitutions.

Madison, James Wilson, Gouverneur Morris, and others, however, protested immediately and vigorously that such proposals strengthened rather than diminished the power of faction and of provincial interests in government. They admitted that any form of monarchy was out of the question in the United States, but they nonetheless sought somehow to retain the benefit of its ability to check legislative corruption and its supposed nonpartisanship. Indeed, in many ways they followed a "balanced constitution" amalgam of ideas derived from Locke, Montesquieu, and Blackstone which legitimated "a broad range of autonomous executive power." In this view, one can think of the presidency as designed "in great measure to reproduce the monarchy of George III with the corruption . . . and the hereditary feature . . . left out."[6] The debates in the convention, as well as the final shape of the presidential office in the Constitution, show that, by 1787 at least, Sherman's Whiggish views were descendant as Madison and others sought ways to implant in republican government the benefits of energy and transcendence of party long associated with a patriot king.

Madison revealed his train of thought on June 4 when, defending executive veto, he noted the danger a republic faced from diversity of interests, demagogy, and the power of a selfish majority. "In this view," Madison concluded, "a negative in the Executive is not only necessary for its own [protection], but for the safety of a minority. . . . The independent condition of the Executive who has the eyes of all Nations on him will render him a just Judge." Madison even sought some way to combine the judiciary with the executive in the veto power to increase the sense of wisdom and respectability in this vital restraint on the presumed-to-be-factious legislature. Two days later he noted the difficulty in a republic of finding a source of power that, like "an hereditary magistrate," would have a "personal interest against betraying the national interest." Echoing the host of philosophers and historians who had argued that a good king might have a personal stake in resisting faction and in upholding the national interest, Madison sought earnestly, even desperately, to find a republican equivalent. When it appeared that the convention might have the legislature elect the executive (as many delegates favored at some stage), Madison even wondered if executive tenure "during good behavior" might help keep him independent of legislative intrigue. Although Madison later explained away this nod toward an unrepublican life tenure, he was willing to do almost anything to resist the fatal tendency in republics of "throwing all power into the Legislative vortex." Four days later, Madison urged that the executive have the power to appoint federal judges because he would be "a national officer, acting for and equally sympathizing with every part of the United States."[7] Throughout the debates he sought consistently to protect the executive department from the factious legislature, and insofar as that independence was secure, he was willing to grant wide powers to the executive. In for its immediate support and long-range success. No one doubted that a government without kings, nobles, and corrupted legislators—a government thus committed to serving the public or common good rather than the interests of a ruling elite—demanded not only this virtuous citizenry but also a social and economic system capable of sustaining its virtue. Confronted with this unshakable truth, Americans had no choice but to acknowledge the precarious fragility of republican government and hence the problematic nature of their revolutionary endeavor.[2]

The revolutionaries' intense concern with "virtue" and their character as a people should not be attributed solely to the influence of a pastoral literary tradition. Rather it emerged primarily from the cumulative wisdom of eighteenth-century political science. The illustrious Montesquieu had stated the matter most clearly when he had posited the existence of a close reciprocal relationship between the various forms of government and the manners and spirit, or character, of a people. Because the elimination of a king and the traditional accoutrements of power associated with his "court" removed the most familiar means of popular restraint—force and fear—the citizens of a republic had to be independent and "virtuous," exhibiting an extraordinary morality of self-control, if they were to secure the stable and just polity they cherished. In declaring their independence the revolutionaries embraced a classical republican heritage that emphasized the interdependence of *public* virtue—that austere, unselfish devotion to the public good that identified a truly republican people—and *private* virtue, which was best exemplified by the personal character traits of industry, frugality, and self-restraint. John Adams expressed the consensus of his compatriots when he explained a few months before the proclamation of the Declaration of Independence that "public virtue cannot exist in a Nation without Private, and public Virtue is the only Foundation of Republics."[3]

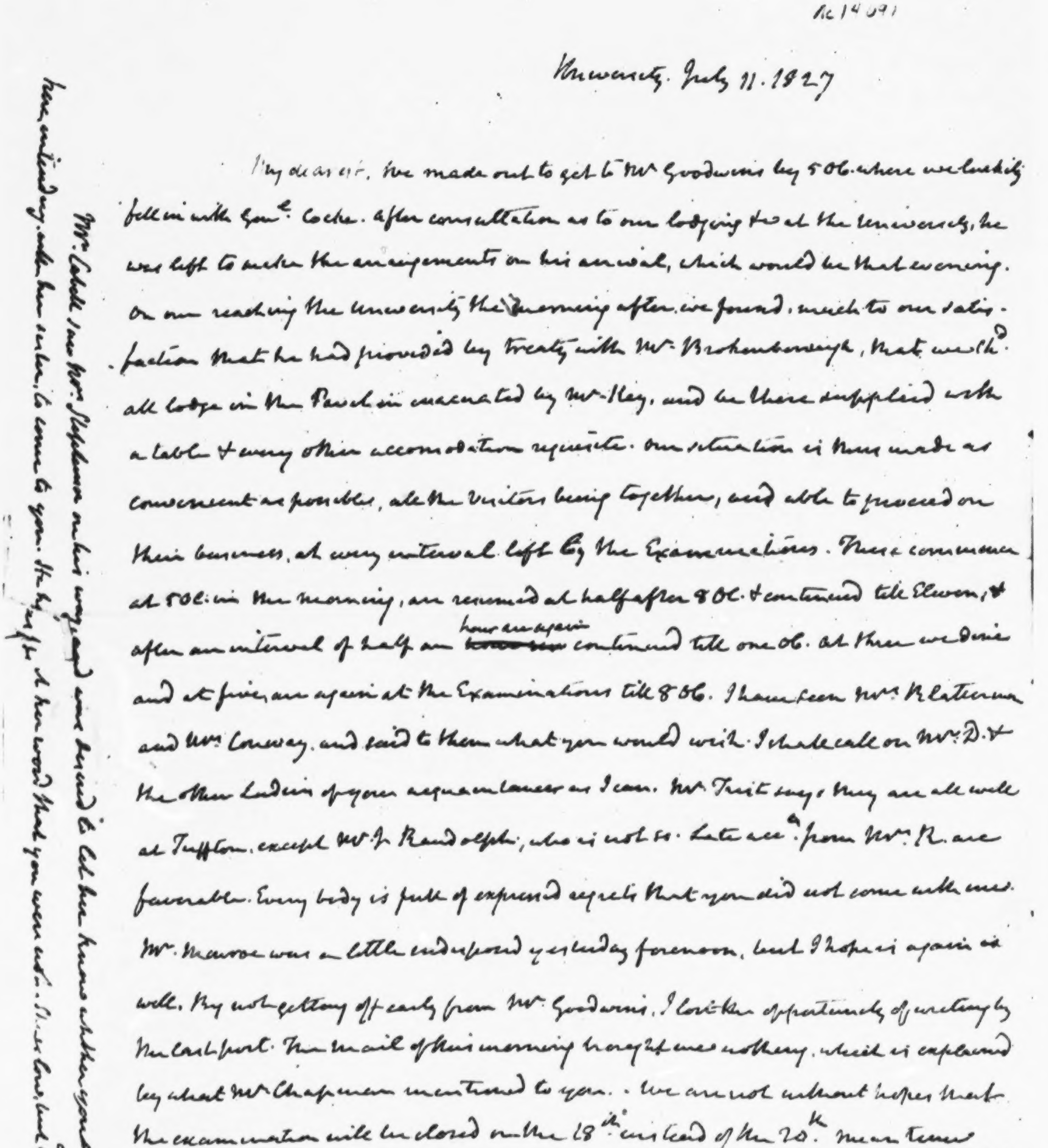
This recognition of the importance of moral and social character impressed upon the revolutionaries the interdependence of polity, economy, and society in their republican revolution. They assumed that a healthy republican government would not endure for very long in the absence of a social and economic order that was conducive to the shaping of a republican citizenry. Thus the revolutionaries could not be content with merely defining and implementing the proper constitutional principles of republican government; they faced the even more imposing challenge of defining and securing a form of economy and society that could support the virtuous character of the American people for as long as possible.

Reduced to its simplest terms, the classical republican creed stipulated that republics had to be rather rude, simple societies free from "luxury" and "corruption." Like "virtue," "luxury" and "corruption" were eighteenth-century terms whose rich meaning contained subtleties that are too easily lost upon the modern observer. The "corruption" of a polity usually entailed, in some form, the encroachment of concentrated power on public liberty. This phenomenon involved an insidious, degenerative process common to the highly stratified societies of the Old World, where extreme social inequality—marked by a gross disparity in the power of a wealthy elite and the poverty-stricken masses—unleashed avaricious, predatory behavior and fostered dangerous dependencies among men. According to the collective wisdom of writers in the republican tradition, the distribution of property in every society, particularly landed property, determined the distribution of power and influence and thus ultimately the character of that society's political institutions. There could be no doubt, as John Adams put it in 1776, that "power always follows property," or more specifically, that "the balance of power in a society" closely paralleled "the balance of property in land." How, then, could this balance be preserved "on the side of equal liberty and public virtue," as republican theorists demanded? The solution, Adams declared, was "to make the acquisition of land easy to every member of society," or "to make a division of land into small quantities, so that the multitude may be possessed of landed estates."[4] If, indeed, weak and unpropertied men—such as those who dominated the social landscape of the Old World—were naturally vulnerable to the power and influence of a property-owning few, then a society of relatively equal, independent landowners was the necessary antidote to corruption and the indispensable support of a republican polity.

American republicans put such a high premium on owning land for one, overriding reason: land conferred on an individual the direct access to the productive resources of nature that rendered him independent of all other men or institutions for the basic means of subsistence. The revolutionaries even suggested that every man had a natural right to this form of property, in the sense that he was entitled to autonomous control of the natural resources necessary for his support. Republicans were, by necessity, passionately concerned with this personal autonomy or "independence," and especially with its material or economic basis. The independence resulting from the ownership of land permitted an individual to participate responsibly in public affairs, because it allowed him to pursue spontaneously the common or public good, rather than the narrow interest of the men—or the government, perhaps—upon whom he might otherwise depend for his support. The man who could feed himself and his family was the least likely candidate to become the abject tool of ambitious schemers or wealthy despots. In this sense, only a wide diffusion of landed property among the American people could provide the foundation for both a virtuous citizenry and a republican distribution of power and influence.[5]

It was Madison's acceptance of this republican formulation that prompted him to contemplate its implications for the future of the United States. Soon after the Revolution he particularly began to examine the relationship between population growth and America's republican potential. It was a common axiom of eighteenth-century political economy that population growth brought about a familiar and potentially catastrophic pattern of social change. Predominantly agricultural societies like America, for example, would eventually be pushed into a more complex stage of social development by the pressure of increasing numbers of people against the finite supply of land and natural resources. As population density became greater, the number of landless (and usually poverty-stricken) men increased, and these landless victims of demographic expansion were often forced to become dependent wage laborers in large manufacturing establishments—if they were fortunate. In Europe, in fact, many of the so-called laboring poor had no employment at all and were either supported by charity or perished. Once a society contained large numbers of these helpless indigents and dependent laborers—who were politically regarded as tools of the employers upon whom they depended for subsistence—republican government was out of the question: idleness, poverty, and dependency were anathema in a polity that demanded independence and virtue from the bulk of its citizens.[6]

Few of the revolutionaries worried that this tragic fate would soon overtake their republic. Americans generally embraced the Enlightenment image of the New World as a peculiarly young, virtuous society of idyllic simplicity and comforted themselves in the thought that a vast wilderness in the West could always diffuse any pressure from the rapid population growth of a prolific American people. Madison understood clearly that America did not suffer from the devastating extremes of wealth and poverty that typified the Old World, and he certainly appreciated as much as anyone the advantages of the republic's proximity to the vast spaces of a virgin continent. Nevertheless, he chided many of his countrymen as early as the 1780s for their evasive naiveté and shallow optimism. The United States was already a more complex, stratified society than many republicans were prepared to admit: "we cannot . . . be regarded even at this time, as one homogeneous mass," he commented at the convention of 1787.[7] It was mandatory, moreover, that the framers of the Constitution "not lose sight of the changes which ages will produce," because "an increase of population" would "of necessity increase the proportion of those who will labour under all the hardships of life."[8] "In future times," he solemnly predicted of the United States, "a great majority of people will not only be without landed, but any other sort of property."[9] Indeed, as the population of the republic continued to increase at a rapid rate, its economy and society would become progressively more akin to the Old World forms of social decadence from which the revolutionaries had declared their independence. How long would this transformation take? In the Virginia ratifying con-



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University. July 11. 1827

My dearest. We made out to get to Mr Goodwins by 5 OC. where we luckily fell in with Genl. Cocke. After consultation as to our lodging &c at the University, he was left to make the arrangements on his arrival, which would be that evening. On our reaching the University the morning after, we found, much to our satisfaction that he had provided by treaty with Mr. Brockenbrough, that we shd. all lodge in the Pavilion evacuated by Mr. Key, and be there supplied with a table & every other accomodation requisite. Our situation is thus made as convenient as possible, all the Visitors being together, and able to proceed on their business, at every interval left by the Examinations. These commence at 5 OC. in the morning, are resumed at half after 8 OC. & continued till Eleven, & after an interval of half an ~~[illegible]~~ hour are again continued till one OC. at three we dine and at five are again at the Examinations till 8 OC. I have seen Mrs. Blaetterman and Mrs. Conway, and said to them what you would wish. I shall call on Mrs. D. & the other Ladies of your acquaintance as I can. Mr. Trist says they are all well at Tufton, except Mr. J. Randolph, who is not so. Late accts. from Mrs. R. are favorable. Every body is full of expressed regrets that you did not come with me. Mr. Monroe was a little indisposed yesterday forenoon, but I hope is again as well. By not getting off early from Mr. Goodwins, I lost the opportunity of writing by the last post. The mail of this morning brought me nothing, which is explained by what Mr. Chapman mentioned to you. We are not without hopes that the examination will be closed on the 18th. instead of the 20th. mean time be assured of my greatest anxiety to hasten the moment of being where my heart always is.

Mr. Cabell saw Mrs. Stephenson on his way, and was desired to let her know whether you were intending, with her sister, to come to you. He hopes & [illegible] that you were not. This is hasty, but only adieu.

*A letter from James Madison to his wife, dated July 11, 1827. James Madison Papers, Manuscript Division, Library of Congress.*

item in husbandry."

A letter from James Madison to his beloved wife, Dolley, was written on July 11, 1827, from the University of Virginia, where he had gone to sit in on the meetings of the Board of Visitors. Madison indicates the length and severity of university examinations of that period:

> These [examinations] commence at 5 OC. [o'clock] in the morning, are resumed at half after 8 OC. & continued till Eleven; after an interval of half an hour are again continued till one OC. At three we dine and at five, are again at the Examinations till 8 OC.

Madison closed by assuring Dolley of his "greatest anxiety to hasten the moment of being where my heart always is."

Irving Brant, in the concluding volume of his biography, noted that the efforts of the two former presidents—Madison and Monroe—to remove themselves from public affairs were frequently ignored. In a letter to Monroe on February 26, 1828, Madison commented on the possible consequences of a convention to consider a system of internal improvements for Virginia and their participation in it as delegates:

> The course pursued, has been misjudged, and will probably receive adversary comments proving it to be so. To us it has been particularly unpleasant, from the awkward position in which it threw us before the public, and the task delicate as troublesome, of answering friendly letters addressed to us on the occasion. It may happen that our public answers are not to escape Newspaper remarks for which neither of us have any appetite.

Ironically enough, the Charlottesville convention saw the two former presidents voting, in vain, to spend a half million dollars of Virginia tax money to buy Chesapeake and Ohio Canal stock. The motion was soundly defeated by Madison's own constitutional argument, which he regarded as overruled by the national interest, that a Virginia contribution would violate the sacred principle that the federal government had no power to build canals.

An unsigned draft of a letter of August 15, 1828, addressed to James A. Graham, indicated Madison's close study of the "Junius" letters and of the problems of manuscript attribution. Junius was the pen name of an unknown writer of a very famous group of political letters (1768–72) directed against the British ministry. In the letter Madison comments on Graham's identification of Junius and discusses the problems of evaluating handwriting and of manuscript attribution.[4]

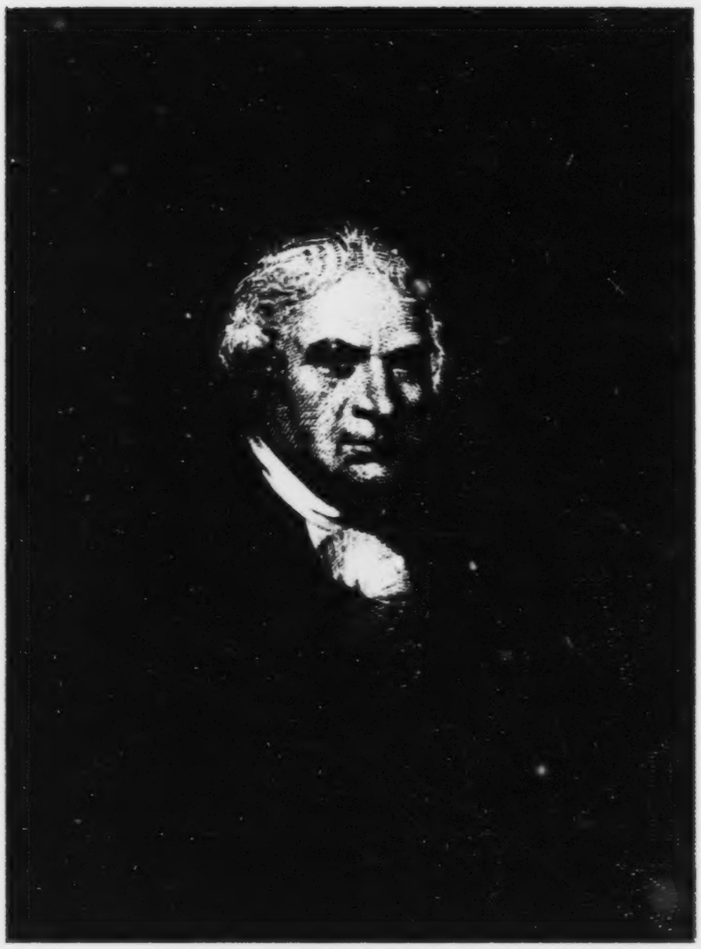
Perhaps even more spectacular than Madison's holograph veto message on the Bonus Bill of 1817 is the manuscript of Madison's first speech in the Virginia Constitutional Convention of 1829. Although the speech was transcribed by A. J. Stansbury, the seventy-eight-year-old Madison made extensive emendations, cross outs, and corrections. The following passage on slavery complements the earlier thoughts that Congressman Madison had expressed to Benjamin Rush in 1790 on the same subject:

> To come more nearly to the subject before the Committee, viz that peculiar feature in our Community which calls for a peculiar provision, in the basis of our Government. I mean the coloured part of our population. It is apprehended if the power of the Commonwealth shall be in the hands of a Majority who have no interest in this species of property, that, from the facility with which it may be oppressed by excessive taxation, injustice may be done to its owners. It would seem, therefore, if we can incorporate that interest into the basis of our system, it will be the most apposite and effectual security that can be devised. Such an arrangement is recommended to me by many very important considerations. It is due to justice: due to humanity: due to truth; to the sympathies of our nature: in fine, to our character as a people, both abroad and at home, that they should be considered, as much as possible, in the light of human beings; not as mere property.

The final item to be considered here emanated from the little-known figure of George Joy, Madison's agent in London, and is dated June 11, 1834. Joy was a Boston trader who went to live in London and gradually became the confidential correspondent of President Madison, whom he admired intensely. As Irving Brant has pointed out, Joy wrote pro-American pamphlets for English consumption, while the American press attacked him as a disloyal expatriate. As the American and British nations drifted toward war in early 1812, Joy kept Madison's true intentions before British officials (whether in private interviews, polemical pamphlets, or confidential letters). Brant pinpointed several instances in which Joy made known "Mr. Madison's intentions" to influential British officials, thereby altering the stance of the English government.

The letter includes some of Joy's reminiscences of the Marquis de Lafayette (who had recently died) and mentions the machinations in London which had preceded the outbreak of the War of 1812. The letter closes with the fol-

*During Madison's first administration, Republicans who had supported George Clinton for the 1808 presidential nomination called for increased military preparations for war. Portrait of Clinton engraved by P. Maverick after a painting by Ezra Ames. Prints and Photographs Division, Library of Congress.*



*Among the Clintonians opposing Madison's administration were, from left to right, Michael Leib, William Duane, Robert Smith, secretary of state, and Samuel Smith, a U.S. senator. Portraits by St. Memin. Prints and Photographs Division, Library of Congress.*

the United States Senate. The result was that by the middle of Madison's first term the Republican coalition that had elected him to office had more or less dissolved, while many of its members were thinking about the possibility of replacing Madison in the presidential election of 1812.[28]

The precise motives of these groups and individuals—sometimes described as the "invisibles" or the "malcontents"—for their opposition to Madison were mixed. Often they were rather petty: the Smith brothers, Leib, Duane, and Giles simply could not tolerate Albert Gallatin's role in the administration as treasury secretary and Madison's most trusted adviser, and they undermined him whenever they could.[29] Duane, too, was always seeking government printing contracts to ease his financial problems, and if he failed to get them he invariably vented his spleen against Gallatin, to whom he attributed Machiavellian powers of political manipulation.[30] Vice President Clinton—a man older than Madison and with a more distinguished record of service in the revolutionary war—was himself seeking the presidency, and his attitudes toward Madison were colored by ambition and sectional resentment. He and many other Republicans from the Middle Atlantic States felt that Virginians had for too long monopolized the presidency, and this was an opinion that could not be easily disregarded. By 1810 New York had become the most populous state in the Union and its Republican leadership wanted proportional representation in the administration and a corresponding influence over the formation of national policy. The New Yorkers did not obtain this, nor did Madison ever attempt to alleviate the resulting sectional resentment by consulting with Clinton or his supporters.[31]

Yet regardless of the motives of those Republicans who opposed Madison, they turned their criticism increasingly toward the president's handling of foreign policy problems. Their complaints that Madison was failing to uphold the nation's honor grew steadily more strident as the president struggled with the problems of trying to replace the embargo with commercial policies that would coerce Great Britain into respecting American neutral rights without plunging the Republic into war at the same time. Madison clearly felt these rising political pressures, and it was, in part, a desire to escape from them that led him at the end of 1810 to accept Napoleon's offer of the Cadore letter as a pre-

# Party and Leadership in Madison's Conception of the Presidency

### by Ralph Ketcham

Only in the last century or two has the word *party* achieved a positive connotation. Even though faction and party have always existed where public life has been in some degree free, they were thought previously to be harmful in their effect. Leaders of party or faction (regarded as virtually synonymous until well into the nineteenth century) were condemned as inherently corrupt and therefore not at all useful as models or preceptors. Conversely, a leader (ordinarily a monarch before the late eighteenth century) who ruled in "the interests of all the people" and conformed to widely accepted natural or moral laws, and who administered his realm accordingly, was deemed a good prince or patriot king. The praise lavished on such leaders as Pericles of Athens, the Roman Emperor Trajan, Elizabeth I of England, and Henry IV of France illustrates the point: each was accounted great and good, and his realm blessed, because each was seen as disinterested. Each ruled according to the welfare of the nation as a whole, eschewing factional bias, dynastic ambition, personal gain, or any other corrupt (that is, partial or selfish) motive. Thus nearly all political philosophy and nearly all "history teaching by example" before the eighteenth century judged political life qualitatively, not procedurally.

In the eighteenth century, when the word "democracy" still had its Aristotelian connotations of demagogy, mob rule, and inevitable decline, first to anarchy and then to tyranny, the fondest hope for improving the life of the people of a nation rested in "benevolent despotism." Government could be made good and the people benefited by the enlightenment and the increase in virtue and wisdom of the sovereign. Political theorists therefore often wrote about the education of the prince or the ways the life of the court might be elevated or rescued from corruption. Similarly, any movement toward government by consent had to demonstrate not so much how it would be re-

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*Pericles of Athens*

sponsive to the public but rather how it too would improve the quality of government. Jefferson is thus the key democratic theorist of the era because he sought most creatively to find devices and institutions that would enlighten the new rulers (the people)—schools, religious freedom, local government, and so on—and hence enable even a republic to be literally "an aristocracy of talent and virtue."

Generally, however, since the Age of Jackson in the United States (and the contemporaneous passage of the Reform Act of 1832 in Great Britain), the idea of party has become steadily more positive. Party strength is held to be useful and party loyalty admirable, connotations gathered in the British phrase "Her Majesty's Loyal Opposition" (first used in the 1820s), implying that opposition, far from being pernicious or even treasonable, was in fact patriotic and as integral a part of the realm as the party temporarily in power. Democratic public life, that is, came to accept and value the party man and even the faction; by espousing what a particular interest wanted (and in a free society there would be a multitude of interests), a person or a group furnished useful grist for the process of democratic politics. By listening and responding, then, to these interest groups, political parties provided a means of influence, and party leaders were esteemed according to their ability to accommodate and mobilize discordant groups. The admired leader, in short, instead of being above party and guided by moral principle, was often the intense partisan who organized a "machine" to achieve the desires of the groups he represented. He was, preeminently, a compromiser, a manager, a broker. Inherently, attention shifted away from goals or purposes to concern for the fidelity of the democratic process which tended to become an end in itself.

But Washington, Madison, and the other early presidents formed conceptions of their office before it would have been respectable to think of themselves as party leaders. They also faced the need to devise an executive office

*Elizabeth I of England. Painting by Marcus Geeraerts. National Portrait Gallery, London.*

Madison's mind faction always posed the greatest threat to free government, and Bolingbroke's model of a king (executive) above party was always an appealing if incomplete antidote.

Madison also sought ways to mingle power and virtue in executive office as he tussled with the crucial question of selection. A good executive would have to be not only "separate" from the other branches but also protected as much as possible from corruption, which meant to him as it did to Erasmus not only dishonesty and intrigue, but more fundamentally, pursuit of private over public interest. This more and more ruled out election by an "existing authority," that is, by the national or state legislatures, by state governors, a judicial body, and so on. Furthermore, the near universal eighteenth-century assumption that direct popular election would be a circus in public and a bazaar in private made Madison skeptical of that process. He approved of the electoral college scheme, then, not only as "least objectionable" given the arguments against the other possibilities, but also as best calculated to prevent intrigue and faction from controlling the election. The need, he wrote Jefferson, was to "unite a proper energy in the Executive . . . with the essential characters of Republican Government,"[8] or, to put the matter in terms of the century-long English debate, to retain the manifest moral and positive qualities of the patriot king (that is, to lead with "proper energy"), while also being faithful to the republican principles of consent and of constitutional restraint.

Even in defending the House of Representatives against charges that its members would act factiously, Madison began with the need for good rulers. "The aim of every political constitution," he wrote, "is or ought to be first to obtain for rulers, men who possess most wisdom to discern, and most virtue to pursue the common good of society; and in the next place, to take the most effectual precautions for keeping them virtuous; whilst they continue to hold their public trust."[9] In Madison's mind, that is, the starting point was to achieve the proper character in those who held political power. In a republic this meant good character in the representatives who made the laws as well as in the other officers of government. It is apparent, then, that Madison regarded even the basic republican idea of making representatives accountable to the people as useful only insofar as it kept office-holders on the proper path and counteracted the tendency of hereditary and oligarchic rulers to abandon the public interest as they succumbed to the temptations of arbitrary power. To Madison, as to Jefferson, Adams, and Washington, possession of virtue by the ruler was the cardinal axiom of good government. Indeed, the principle of consent itself could be justified only insofar as it sustained that *summum bonum.*

Gouverneur Morris gave that priority yet another standing in noting that "the Executive Magistrate should be the guardian of the people, even of the lower classes, against Legislative tyranny, against the Great and the wealthy who in the course of things will necessarily compose the Legislative body." Emphasizing what he said history proves to be, "the spirit of the opulent," Morris charged that among legislators "Wealth tends to corrupt the mind and to nourish its love of power, and to stimulate it to oppression." He furthermore thought it proper, and consistent, that if the executive was to be effectively "the Guardian of the people let him be appointed by the people." In a country as large as the United States, Morris also thought such a mode of election could resist influence "by those little combinations and those momentary lies which often decide popular elections within a narrow sphere."[10]

Both Morris and Madison, however, increasingly followed the reasoning of James Wilson in understanding how a vigorous, impartial executive power could be squared with the principle of government by consent. Starting with that principle generally, he accepted as "the great desideratum in politics . . . a government [both] . . . efficient and free. . . . I think it can be done . . . only by forming a popular government. To render government efficient, power must be given liberally; to render it free as well as efficient, these powers must be drawn from the people, as directly and immediately as possible." In Wilson's oft-used metaphor, a pyramided government, resting on the broad base of the people, would be the strongest and most stable form. But Wilson, moving beyond his more conventionally Whiggish colleagues, argued that the principle requiring a popularly elected legislature also applied to the executive. Then "he who is to execute the laws will be as much the choice, as much the servant and, therefore, as much the friend of the people as he who is to make them." With the executive thus fully responsible, it was proper, in Wilson's view, to unify and enlarge his power to take advantage of the traditional benefits of "efficient" leadership. Such a single executive elected by the people and responsible to them would also "be impartial . . . [and] promote the interests of the whole." With this "chain of connection," Wilson argued, the reputation of the executive would be tied to the public interest and the nation would be able to have its affairs conducted according to the "very quintessence of impartiality."[11] The goal, then, was that popular election, a liberal grant of power, clear responsibility, and impartiality might be linked to make a republican executive part of a framework of good government.

Madison worked in yet another way toward that goal in his now-famous theory of the extended republic. Not only did he find protection against tyranny and the effects of "the factious spirit" in the many interests that a large republic would contain, but he hoped that self-interested parties would be *neutralized,* reduced to no effect, so that "the interest of the entire Society" could gain sway. That is, he did not suppose, as twentieth-century "conflict of interest" political analysis does, that the push and pull of various factions would result in a compromise, which was itself the only practical definition of the public interest. In this view, factions are seen as not only inevitable, as Madison admitted, but also as positively useful in bringing to government the private needs of various segments of society, which Madison would have denied. To him a faction was a group whose interests were "adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." Madison thus hoped that factions would so check each other than an "aggregate" view, an uncorrupted policy, a public interest could be asserted.[12] In insisting on the reality and the transcendent importance of such a concept, Madison shows himself to be an eighteenth-, not a twentieth-century political thinker. He held consistently, at the state and national level, that a powerful executive was an indispensable means both for combatting faction and for articulating and acting upon the "aggregate interests of the community"—the traditional role, of course, for the patriot king. Madison admired the role but had to adjust selection and duration in office to republican principles.

* * *

At Washington's right hand in 1789 in setting up government under the new Constitution, Madison sought to guard the president's dignity and powers as long as the executive department retained the nonpartisanship which alone could legitimize its authority. In fact, however, Madison soon came to believe, as Jefferson did, that Hamilton sought to make it into something quite different. The "cementing" of the public creditors to the national government, the corruption of members of Congress (meaning not so much accepting bribes as enlisting the selfish interests of their constituents), the cultivation of party, the alignment with Britain's commercial policies, the enlargement of the public debt, and the chartering of financial institutions all pointed toward exactly the sort of partisan, commercial, ministerial government Pope and Swift had scorned under Walpole. Madison asserted that "a government operated by corrupt influence, substituting the motive of private interest in place of public duty [was an] . . . imposter" under a republican constitution, while other Jeffersonians accused Hamilton of being a Walpolean "prime minister" leading a "phalanx . . . of stock-jobbers."[13] With the executive thus tainted, Madison was forced toward the radical Whig "solution" of emphasis on legislative power and even on state's rights as *means* to resist a corrupted administration. He even joined Jefferson in founding an antiministerial, republican party, which each conceived as "a party to end all parties," that is, an instrument, a temporary means to overcome the power of party (inherently malignant) so skillfully mustered by Hamilton.

Thus, Madison understood Jefferson's aspirations in his First Inaugural Address that the *partisan* electoral contest just over be *the last such one* in American history, and that all Federalists and all Republicans "unite in common efforts for the common good." Quaint or naive or forlorn as this may seem after nearly two centuries of unrelenting party battles and, more provention of 1788 Madison hinted strongly that the day when "population becomes so great as to compel us to recur to manufactures" lay not very far in the future: "at the expiration of twenty-five years hence, I conceive that in every part of the United States, there will be as great a population as there is now in the settled parts. We see already, that in the most populous parts of the Union, and where there is but a medium, manufactures are beginning to be established."[10]

When Madison made this observation the western boundary of the United States was the Mississippi River. He hoped—and to a great extent assumed—that this boundary would not be permanent. If a burgeoning American population could continue to have recourse to fresh supplies of land, the adverse repercussions of this demographic explosion might be controlled and even forestalled for a considerable period of time. It was appropriate that in 1803 Madison, as President Thomas Jefferson's secretary of state, assisted in the monumental triumph of the Louisiana Purchase. By more than doubling the land supply of the fledgling republic, this territorial acquisition appeared to postpone indefinitely the day of reckoning that both Virginians had long feared and anticipated.

Following his retirement from public life in 1817, however, Madison resumed his sober deliberations on this subject. As he pondered the development of American society, he looked ahead, as he had at the Constitutional Convention, to a time when the supply of arable land would finally be exhausted and America would have "a populousness" comparable to that of England and France. A majority of the community would then be "without landed or other equivalent property and without the means or hope of acquiring it." Madison predicted that a dangerous social inequality, with "a dependence of an increasing number on the wealth of a few," would take the form in the United States of "wealthy Capitalists" and "indigent labourers." The most severe dependencies, he expected, would stem from "the connection between the great Capitalists in Manufactures & Commerce and the members employed by them."[11] The Virginian believed that this "crowded state of population" and its frightening consequences were not "too remote to claim attention." Within "a century or a little more," he proposed in 1829, Americans would confront the dilemma of maintaining republicanism in a society without a reservoir of open land, a society that would be devastated by the inequalities and dependencies resulting from this unprecedented condition.[12]

Since the abject dependence of the landless or laboring poor rendered them vulnerable to bribery, corruption, and factious dissension, a future America with large numbers of these indigents seemed hardly suited to the republican form. Once large numbers of Americans were denied the moral and political independence that freehold property conferred, they would be mired in a social predicament that threatened to doom the fulfillment of the republican revolution of 1776. Indeed, Madison was so frightened by the lack of virtue in men without property that he consistently refused to endorse the principle of universal manhood suffrage; men who lacked independence could not be entrusted with the vote, for they would either combine unjustly to invade the rights of those who owned property or, even more likely, become the tools of designing men "of opulence and ambition."[13] Madison stoically confronted the implications of such future changes, but he never satisfactorily resolved his underlying dilemma: once the relentless pressure of population growth had transformed the character of American society, how would the republic be saved?

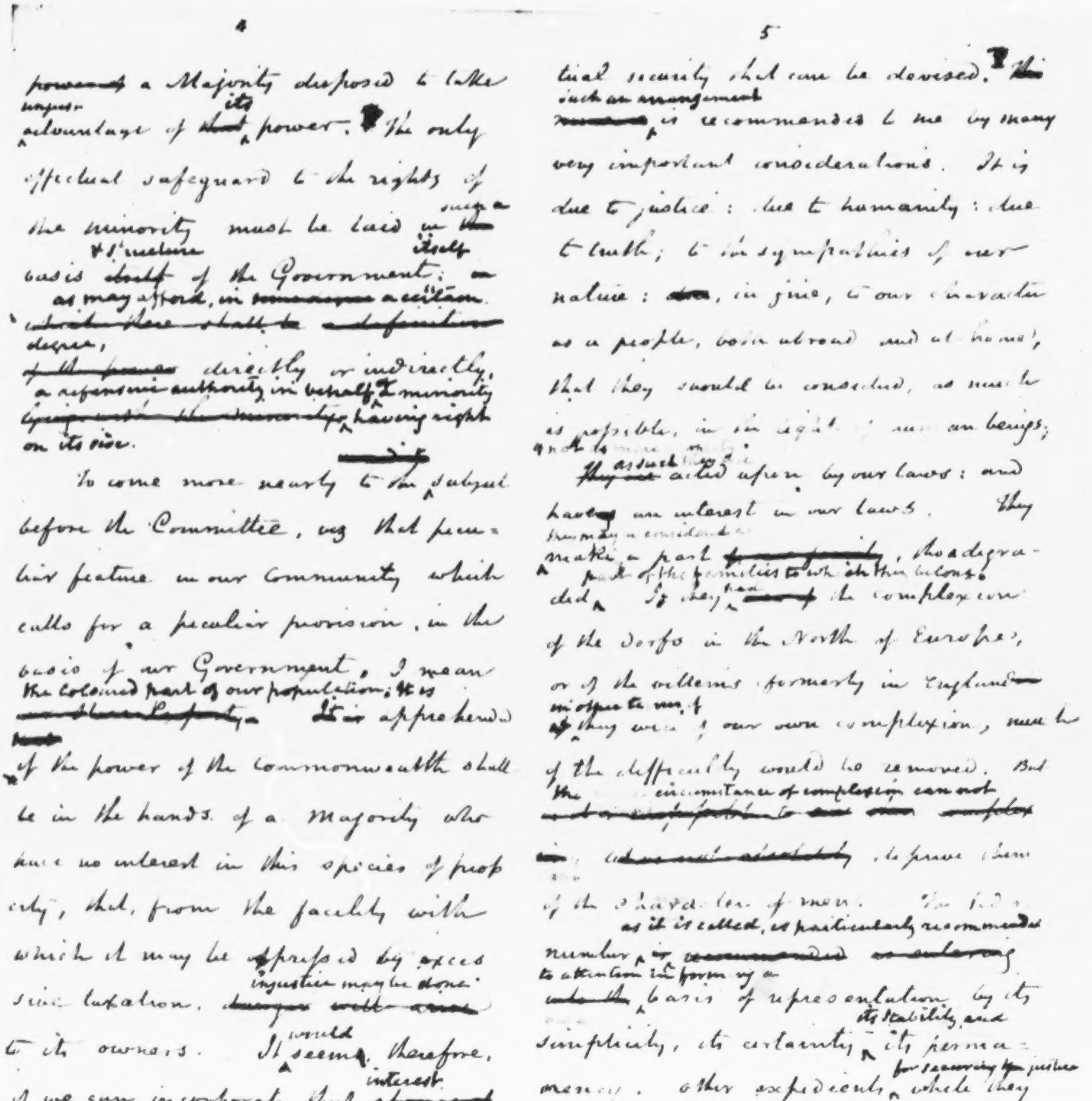
This prospect of an exhausted frontier persistently haunted Madison's vision of the future, but it is significant that he also worried about another, related problem in political economy that loomed even closer on the horizon. "No problem in political Economy has appeared to me more puzzling," he wrote to Jefferson in 1786, "than that which relates to the most proper distribution of the inhabitants of a Country fully peopled."[14] Here Madison referred to the distribution of employment in a populous country, and although his analysis was applied specifically in this instance to Europe it had implications for America as well. As Madison understood the problem, America's dilemma would arise, ironically, from its tremendous agricultural productivity. The republic's farmers were capable of extracting from its bountiful land a massive surplus of subsistence, far more subsistence than was necessary to feed even a rapidly expanding population. Contrary to the teachings of the English parson T. R. Malthus, in fact, "the increase of human food" in America surpassed the country's rate of population growth.[15] What troubled Madison was the nagging question of whether there would be adequate markets—both domestic and foreign—to absorb this vast surplus and thereby support employment on the land for America's growing numbers.

"It is a law of nature, now well understood," Madison reflected in 1829, "that the earth under a civilized cultivation is capable of yielding subsistence for a large surplus of consumers, beyond those having an immediate interest in the soil." This "surplus" of nonlanded consumers, he continued, "must increase with the increasing improvements in agriculture, and the labor-saving arts applied to it." It was the sad "lot of humanity," moreover, that "a large proportion" of this class of men was "necessarily reduced by a competition for employment to wages which afford them the bare necessaries of life."[16] Paradoxically, then, advances in agricultural productivity paved the way for increased social misery. The problem Madison envisioned was the need to secure viable and adequate sources of employment for those "superfluous" individuals whose labor would no longer be needed on the land. Manufacturing could provide occupations for some of them, but he feared that there was simply not enough employment in this sector of the economy to go around. Not all of those in search of work would be needed in the manufacture of clothing, utensils, and the other necessary trappings of a civilized existence; indeed, it was competition for this limited employment that drove wages down and compounded the suffering of even those fortunate enough to find employment.[17]

We can assume that Madison's analysis was derived in large part from the agricultural experience with which he was most familiar—the production of prodigious abundance in the United States. In one sense, the problems posed by America's increasing population would arise not from an insufficient supply of land, and certainly not from Malthus's problem of the earth's incapacity to provide adequate nourishment for a large population, but rather from the republic's ability to yield this massive surplus of subsistence. How was the corresponding human surplus—whose labor would not be required in agriculture—to be employed so that it might have access to this plenty?

Clearly, Madison's tentative answer was to continue to employ the American people as much as possible on the republic's sprawling expanse of land and to export their surplus productivity to consumers abroad. But this solution was problematic at best. Madison acknowledged that the number of people who could be profitably occupied on the soil in America was necessarily limited by the available demand for its staggering yield. As he noted in 1833, labor ceased to be needed or employed in agriculture when "its products satisfy & satiate the demands for domestic use & for foreign markets." "Whatever be the abundance or fertility of the soil," he added, "it will not be cultivated when its fruits must perish on hand for want of a market." Applying this insight in an immediate and relevant way to his own state of Virginia, Madison observed that "the earth produces at this time as much as is called for by the home & the foreign markets." The conclusion to be drawn was as apparent as it was regrettable: the Old Dominion itself "must be speedily a manufacturing as well as an agricultural State," with the sad consequence that "the people will be formed into the same great classes here as elsewhere."[18] This prospect not only indicated to Madison that the United States as a whole might be forced into manufacturing as an alternative means of employment long before the supply of land itself ran out; it also suggested that the ensuing crisis of employment, with its attendant problems of idleness, poverty, and dependence, was even more imminent than many Americans understood who naively regarded the frontier as a panacea.

We can only speculate, of course, as to how Madison might assess the current condition of the republic. Despite his pessimistic forecast of inexorable social trends that would undermine the original purposes of the Revolution, he continued to have faith that future generations would somehow adjust to these new conditions and keep the republican spirit alive. Certainly we cannot fault him for failing to anticipate many of the ways in which the problems attending his prospective social crisis have been miti-



4

~~power of~~ a Majority disposed to take
unjust
advantage of ~~that~~ its power. ¶ The only
effectual safeguard to the rights of
the minority must be laid in ~~the~~ such a
& structure itself
basis ~~itself~~ of the Government: ~~or~~
as may afford, in ~~some shape~~ a certain
~~which there shall be a defensive~~
degree,
~~of the power~~ directly or indirectly,
a defensive authority in behalf of a minority
~~[illegible]~~ having right
on its side.

~~[illegible]~~

To come more nearly to the subject
before the Committee, viz that pecu-
liar feature in our Community which
calls for a peculiar provision in the
basis of our Government, I mean
the coloured part of our population; It is
~~[illegible] Property~~. ~~It is~~ apprehended
~~[illegible]~~
if the power of the Commonwealth shall
be in the hands of a Majority who
have no interest in this species of prop-
erty, that, from the facility with
which it may be oppressed by exces
injustice may be done
sive taxation, ~~danger will arise~~
to its owners. It would seem, therefore,
interest
if we can incorporate that ~~species of~~
~~property~~ into the basis of our system,
it will be the most apposite and effec

5

tual security that can be devised. ¶ ~~The~~
such an arrangement
~~[illegible]~~ is recommended to me by many
very important considerations. It is
due to justice: due to humanity: due
to truth; to the sympathies of our
nature: ~~[illegible]~~, in fine, to our character
as a people, both abroad and at home,
that they should be considered, as much
as possible, in the light of human beings;
and not as mere property:
as such they are
~~they are~~ acted upon by our laws: and
have~~ing~~ an interest in our laws. They
they may be considered as
make a part ~~[illegible]~~, tho a degra-
part of the families to which they belong.
ded. If they had ~~[illegible]~~ the complexion
of the serfs in the North of Europe,
or of the villeins formerly in England ~~or~~
in other terms, if
~~if~~ they were of our own complexion, much
of the difficulty would be removed. But
~~the~~ circumstance of complexion can not
~~[illegible]~~
~~[illegible]~~, ~~[illegible]~~ deprive them
of the character of men. The fed.
as it is called, is particularly recommended
number, is ~~recommended~~ ~~[illegible]~~
to attention in forming a
~~[illegible]~~ basis of representation by its
its stability and
simplicity, its certainty, its perma-
for securing the justice
nency. Other expedients which they
necessary
amount in effect to the same thing,
have been found
~~are~~ liable to great objections. and

*The fourth and fifth sheets of James Madison's first speech before the Virginia Constitutional Convention of 1829. James Madison Papers, Manuscript Division, Library of Congress.*

lowing salute to the former American president:

> I have Letters from you that would not disparage your better known productions:—neither is there any part of them to which I can refer with more pleasure than those—they are few—in which diversity of opinion has been shown.—there is a courteousness in your manner of developing these, which I wish you would leave with your mantle to some of our modern Legislators.—In the debates in the Convention of Virginia [1829] . . . you must have seen the want of it; and in the respect of all parties, an earnest of the attention which would be paid to it—for myself I can say that, from my first personal intercourse with you to the present hour, there never was a time when I was not quite willing and desirous to draw from your fountain, or have ever ceased to be, with great regard and esteem,
>
> Your sincere and faithful friend
> & Servant
> G. Joy

Just over two years later, full of honors and surrounded by his family, James Madison died at Montpelier, on June 28, 1836.

This sampling of recent additions to the James Madison Papers indicates the wide-ranging breadth and depth of Madison's interests. Overshadowed in the past by the formidable figures of Washington, Franklin, John Adams, and Jefferson, the fourth president has become the subject of a number of recent reassessments of his contribution to the founding of the American Republic and the importance of his role in constitutional history. The extremely disparate nature of these additions illustrates how Madison's thought extended far beyond the confines of governmental theory and practice. Taken together with the earlier corpus of Madison papers, these additions permit the reader to gain insight into the varied aspects of Madison's life and thought.

## NOTES

1. Irving Brant, *James Madison*, 6 vols. (Indianapolis: Bobbs-Merrill, 1941–61), 4:59.
2. *Dictionary of American Biography*, s.v. Tatham, William.
3. For a fuller treatment of this item, see the Manuscript Division's annual acquisition report in the Fall 1979 issue of the *Quarterly Journal*.
4. Ibid.

*Albert Gallatin, Madison's secretary of the treasury, attacked by malcontents at every opportunity, offered his resignation to Madison in March 1811. Photograph by Mathew Brady of a daguerreotype. Prints and Photographs Division, Library of Congress.*

text for imposing total nonimportation against Great Britain.[32] This action was taken on the assumption that France—by offering to repeal the Berlin and Milan decrees—had ceased to violate American neutral rights and that Great Britain was thus left as the sole belligerent offender on this score. Events quickly proved this assumption to be unjustified, and historians have often noted that Madison's miscalculation weakened his case against the orders-in-council.[33] They have, however, tended to ignore the fact that Madison's action also provoked a serious crisis in the administration which threatened to break up the Republican party once and for all and that Madison was only able to surmount it by taking two important steps.[34] One was to replace Robert Smith with James Monroe in the State Department at the end of March 1811, and the other was to decide to prepare for war with Great Britain, a decision which appears to have gradually matured in the president's mind between April and the end of July 1811.

The first symptom of this serious crisis within the administration over foreign policy was the behavior of Robert Smith, who strenuously opposed the decision to accept the Cadore letter. Smith was no Anglophile, but he genuinely believed that Madison was making a mistake in challenging Great Britain over the orders-in-council without first obtaining definite proof that Napoleon had actually repealed the Berlin and Milan decrees. Smith, furthermore, widely advertised his difference of opinion with Madison. All Washington knew of it—including the French and British diplomats—and at no time after the beginning of 1811 did Smith ever try to disguise the fact that the administration was badly divided. In fact, Smith even went so far as to state in February 1811 that Madison had blundered so badly that he would have to be replaced as president by Clinton in 1812.[35]

A complicating factor in Madison's political problems at this time was the return home of the American minister to France, John Armstrong of New York. Armstrong was a shadowy but important figure in Republican politics in this period. He was regarded by many of his contemporaries as a dangerous schemer and an unprincipled villain, this reputation owing much to the fact that in 1783 he had appeared to incite the Continental Army to mutiny by virtue of his authorship of the notorious Newburgh Letters.[36] Since then, he had done nothing so controversial, but he had taken the trouble to become well connected by friendship and marriage to the leading Republican families of New York—the Clintons, the Livingstons, the Spencers, and the Lewises. While in France he had written private letters to Robert and Samuel Smith criticizing the weaknesses of Madison's foreign policy, and he was known, like the other Republican malcontents, to advocate military preparations and war as the solution for America's diplomatic difficulties.[37] Madison and Gallatin, however, regarded Armstrong's return in a rather more sinister light: they assumed he had been invited home by George Clinton to help organize a revolt of malcontent Republicans against the administration in 1812. Armstrong's reward, they believed, would be the State Department or perhaps even the vice presidency.[38]

Yet it was Gallatin and not Madison who took the first step toward staving off this unwelcome development. In the first week of March 1811, the treasury secretary, tired of factional opposition to administration policies, offered his resignation. In doing so, he in effect asked Madison to do something positive about the criticisms of the malcontents.[39] Madison refused the resignation and dismissed Robert Smith, replacing him with James Monroe, partly because he thought Monroe would be more reliable than Smith and partly because if any Republican could negotiate a settlement of Anglo-American differences, it was probably Monroe. And it should be stressed here that in March 1811, Madison believed that hope for a settlement with Great Britain was by no means wholly unreasonable.[40] In Britain itself, the Prince Regent had just taken over power from his insane father, George III—whose inveterate dislike of the United States was hardly a secret—and if the regent should appoint his Whig friends to office Madison believed that there was a fair chance they might moderate British policy toward America. Many of the Whigs had always stated that they favored a more lenient course toward America than the Tories in Spencer Perceval's cabinet, and Monroe had the advantage of a personal acquaintance with many of these Whig leaders.[41]

A great deal was therefore at stake in Monroe's appointment to the administration, the more so since the dismissal of Smith infuriated the malcontent Republicans, who believed that the path was being cleared for yet another Virginian to succeed to the presidency after Madison. To Clinton and Armstrong in New York, this possibility was totally unacceptable, as it was also to Smith, who warned Madison after his dismissal that he might air their foreign policy differences in public and rally "a body of friends" in the country to support an antiadministration position.[42] The political threat in Smith's remarks might not have been very serious had Madison been able to obtain an honorable settlement of Anglo-American differences, but all Madison's hopes for such a settlement largely vanished shortly after Monroe took over the State Department in April 1811. In the second week of that month, Madison received the news from the American minister in London, William Pinkney of Maryland, that he was returning home because he felt it was a waste of time trying to obtain concessions from the British government. At the same time Madison also learned that the Prince Regent had not dismissed Perceval's Tory ministers to make room for his Whig friends in the cabinet.[43] This meant, as Madison understood the situation, that British policy toward America was unlikely to change in the near future and that he would eventually be placed in a very difficult position, both politically and diplomatically, in dealing with the consistently obdurate behavior of Great Britain. Admittedly the prince regent had announced that he was sending a new British minister to the United States—Augustus Foster—but Madison never for one moment believed that Foster's instructions—which would, after all, be written by the Tory ministers who had already caused the United States so much trouble—would allow him to make a just settlement with the United States.[44] Madison expressed this opinion privately to the editor of the *National Intelligencer,* Joseph Gales, who then released it anonymously in a lengthy editorial on Anglo-American relations on April 16, 1811. This statement declared that any discussions with Foster would fail because of the dishonesty of the British government and that after this failure the Twelfth Congress might have to consider rather stronger measures than the previous policies of economic coercion. In other words, it would seem that Madison had begun to think seriously about the possibility of war with Great Britain.[45]

His inclination to consider war could only have been reinforced by the behavior of the Republican malcontents over the summer of 1811. From April 1811 onward, Duane's *Aurora,* the Clintonian *Albany Register,* and the *Baltimore Whig*—the last being a paper controlled by the Smith brothers—constantly abused Madison, vindicated the cause of Robert Smith, and called for a tougher foreign policy. The president's conduct was described as pusillanimous, feeble, faithless, degrading, dishonest, temporizing, and dishonorable. At gatherings organized by the malcontent Republicans to celebrate Independence Day, they pointedly omitted the customary toast to the president's health but

*Washington presidential poster, from a "much admired painting by Col. J. Trumbull." Prints and Photographs Division, Library of Congress.*

suited to a republic when virtually all precedent and experience associated executive power with hereditary monarchy. What did it mean to be a republican executive? In addition to this uncertainty, they also worked within hopes and principles of leadership widely different from those accepted in the twentieth century. Thus, what seems paradoxical or naive or hypocritical from the vantage point of current political axioms may be consistent and even profound once we have a better understanding of the backgrounds and aspirations for executive power in the eighteenth century.

To grasp the convergence of ideas, events, and circumstances that first defined the office of the presidency, we must begin with the injunctions of Aristotle, Plutarch, Cicero, and other ancient authors on political obligation, on the common purposes of politics, on the positive role of the state, and on the high responsibilities of leadership. The early presidents also were heir to a millenium or more of Christian teaching that the duty of a good prince was to rule according to a higher law, and that the well-being of the realm depended on the piety, virtue, and patriotism of the sovereign. But in seventeenth- and eighteenth-century Britain these ideas, which had been embodied in the notion of "the divine right of kings," were challenged by economic, moral, and political revolutions transforming English life. The expansion of commerce, its new ethic, and the wealth it produced soon exerted a strong influence on government through its growing power in parliament. Thus legislative supremacy, balance of powers, individual rights, and even *laissez-faire* were valued above executive prerogative, national unity, leadership above party, and other traditional emphases in government. It is within this pattern of crosscurrents that the office of the presidency attained its first shape.

The most influential positive conception of executive power for the early presidents, of special significance once the emphasis on executive restraint that dominated the American Revolu-

*John Adams. Painting by Gilbert Stuart. National Gallery of Art, Washington. Gift of Mrs. Robert Homans.*

*Thomas Jefferson. Drawing by Benjamin Latrobe. Maryland Historical Society.*

foundly, the enshrinement of the political party as the benign dynamic of democratic government, Jefferson and Madison thought it not only possible but vital to the survival of good government that parties disappear. Though the Jeffersonian-Republican party of the 1790s and the following generation was in some way part of the "great democratic party" that runs from Samuel Adams, Thomas Paine, and other "radicals" of 1776 through the Anti-Federalists of 1788 to the party of Jackson, Wilson, Franklin Roosevelt, and Hubert Humphrey, it was not a *party* in the post-1829 sense. Its leaders did not seek its perpetuation (it would "succeed" in their eyes only if it became unnecessary), and they did not see inherent virtue in its organizational strength or in its ability to sharpen partisan issues in the country, as Martin Van Buren and others would propose as they fashioned the first positive conception of permanent, adversarial political parties in the 1820s. Madison was, therefore, in the same paradoxical, perhaps inconsistent, position as Bolingbroke had been in the 1720s and 1730s when he assiduously cultivated an anti-Walpole "party" and sustained a brilliantly vituperative opposition newspaper—all in the name of putting an end to "government by party," that is, a government of special interests that failed to discern and rule in the public good.

During Madison's sixteen years as secretary of state and president he had as his objectives to purge the means of ministerial government and end the bias toward trade and industry, and to restore a legitimate leadership above party and within the republican principle of consent. During Jefferson's first term Madison therefore took part earnestly in Republican efforts to dismantle and restrain the most high-toned and (in their view) partisan aspects of the federal government; that is, to make it "mild" rather than aggressively commercial. Jefferson's overwhelming reelection in 1804, evidence of wide public support for the "revolution of 1800," was especially pleasing to the administration leaders because "the party spirit" in the country seemed sharply reduced. The Republic leaders also welcomed the chance to purchase Louisiana (thus doubling the nation's virtue-encouraging farmland), began a national road to bind the country together, and recommended a national university to enhance the talent and virtue of its future leaders. Willingly, even eagerly, that is, they sought means of firm, virtuous, nonpartisan guidance for the nation.

But the intensification of the worldwide, life-and-death struggle between France and England, signaled by the guns of Austerlitz and Trafalgar in the fall of 1805, imposed a ten-year hold on Republican attention to domestic affairs and utterly preoccupied, indeed, nearly overwhelmed Madison's efforts in executive office until halfway through his second term as president. As he passed through the trials and vicissitudes of the embargo, the conquest of West Florida, the Macon Acts, and the War of 1812, he again and again discovered that the more Whiggish of republican verities—deference to Congress, protection of civil liberties, opposition to war preparations, support for international law, and so on—were not easily assimilated to the demands of war leadership. Combined with Madison's unimperious personality, these demands often resulted in vacillating, ineffective policies. One can easily imagine the different and at times more appropriate style of an Andrew Jackson or a Winston Churchill.

Yet, Madison did make one transcending contribution. He saw the nation through the trial of war and deep domestic dissension in a way which caused French Minister Sérurier to declare, as news of the Treaty of Ghent arrived in Washington, that "three years of warfare have been a trial of the capacity of [American republican] institutions to sustain a state of war, a question . . . now resolved to their advantage." Madison had enabled the nation to survive the Napoleonic maelstrom and "win" the War of 1812 most fundamentally by refusing himself to become a Caesar, or by preventing any other leader from assuming that role. By fending off partisans (near traitors, some accused) on all sides, by avoiding "perpetual taxation, military establishment, and other corrupting or anti-republican habits or institutions," and thus winning the "second war of independence," Madison offered important if imperfect lessons in how to join Whiggish principles and the demands of crisis leadership.[14]

With the return of peace, Jackson's victory at New Orleans, and the discrediting of the Federalist party in 1815, however, Madison had an opportunity to be a nonpartisan leader on the traditional model Swift had evoked in his vivid characterization of the king of Brobdingnag and Bolingbroke had described in *The Idea of a Patriot King*. Madison gave top civilian and military appointments to able and proven colleagues—Monroe, Gallatin, John Quincy Adams, Admirals Rodgers and Porter, and Generals Jackson and Scott, for example—in whom the whole nation took pride. He provided leadership to Congress, especially in his annual message of December 1815 when he recommended a broad national program. He proposed a rechartered United States Bank, an equitable commercial treaty with Great Britain, a mildly protective tariff, a small but high-quality defense establishment, a national university, and a program of internal improvements authorized by a constitutional amendment. Finally, he "passed on" the presidency to a Republican variety of an "heir apparent"; that is, to a person of long public service, of unquestioned patriotism, of restrained partisanship, and of wide public support. Though intrigue and faction boiled below the surface of the Republican party and though the Federalists still managed a feeble opposition, nothing more pleased Madison and Monroe than the all-encompassing nature of their party; or, in other words, its near transcendence of party in the pejorative sense.

Furthermore, the posture of the years 1815–17 was, in a view Madison shared with Jefferson and Gallatin, a fulfillment of the good intentions and high hopes of 1801–4. With the Hamiltonian engine, in part, restrained or dismantled and the nation's republican institutions validated and revived, it was possible to use them for the public interest, and it was the responsibility of the president to articulate that interest. Though it was the task of Congress to legislate, the need for both practical and symbolic leadership was, in the minds of men nourished on Cicero, Erasmus, and Bolingbroke, still crucial. In this tradition Madison furnished steady, principled guidance during two years of national euphoria. Viewed in this light, Henry Adams's often-repeated criticism that Madison found himself forced to become a Federalist in order to govern properly becomes a half-truth. He was, as Jefferson had claimed for himself, a Federalist in that he saw virtue in active national leadership and other Federalist principles, but Madison neither abandoned republican precepts nor sought to take over Federalism as a political party. Rather, he intended to eliminate party itself from public life. Observing the scene from retirement in Massachusetts, Henry Adams's great-grandfather, John Adams, endorsed Madison's outlook when he wrote Jefferson that "notwithstanding a thousand Faults and blunders, [Madison's] administration has acquired more glory, and established more union, than all his three predecessors, Washington, Adams and Jefferson put together."[15] Thus, though Madison was in many ways a most unlikely "patriot king," in forty years of public life he worked toward an executive office in accord with the nonpartisan ideal. He accepted Bolingbroke's maxim that "the head of a state is responsible for the moral health of the body politic," and he endorsed Monroe's inaugural observations that "the American people . . . constitute one great family with a common interest," that "discord does not belong to our system," that the "existence of parties is not necessary to free government," and that "the chief Magistrate of the country ought not to be the head of a party."[16]

Madison and the other pre-1829 presidents, then, rather than supposing it was necessary for the chief executive, even in the oval office, to be a vigorous, unabashed party leader (in the style of all twentieth-century presidents, with the partial exception of Eisenhower), accepted the ancient view that good leadership had to be nonpartisan. Madison knew, of course, that no human being could entirely transcend a partial view, but he would also have insisted that it was important, especially in executive office, to as much as possible deemphasize party and faction and neutralize them as he had argued in Federalist paper no. 10. It is not that the *practice* of politics in Madison's day was less self-interested or less mingled with party needs or pleas than later American practice; such concerns, Madison had also written in Federalist paper no. 10, were "sown in the nature of man" and were "nourished" by the very air of free government. But Madison also believed that the serious intention and the obvious stance of the president to subordinate party (partial) interests and needs, if consistently kept in mind and in gated. Yet, if we are tempted to conclude that time has proved Madison a false prophet, we can see much around us to give pause. The problem of generating sufficient employment for America's teeming numbers, even in the presence of unprecedented abundance, still looms large. Judged by Madison's standards, virtually all of us lack the social and economic "independence" that anchored his conception of republican virtue. And if a willingness to vote in free elections is any measure of what we might now regard as a diluted form of the revolutionaries' "public virtue," a majority of us, for whatever reason, have lost the will to participate responsibly in the affairs of the republic. In the face of such widespread apathy it is difficult not to conclude that the spirit, as well as the substance, of Madison's republic has been lost.

## NOTES

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2. Gordon S. Wood, *The Creation of the American Republic, 1776–1787* (Chapel Hill: University of North Carolina Press, 1969), chaps. 1–4; J. G. A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton: Princeton University Press, 1975), chaps. 10–15.

3. John Adams to Mercy Warren, April 16, 1776, in"Warren-Adams Letters," Massachusetts Historical Society, *Collections*, vols. 72–73, (Cambridge: Massachusetts Historical Society, 1917–25), 72:222.

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6. For a more extended discussion of these issues see Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill: University of North Carolina Press, 1980), chaps. 1–3.

7. Farrand, *Records of the Federal Convention*, 1:422.

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9. Ibid., 2:203–4.

10. James Madison, *Papers of James Madison*, ed. William T. Hutchinson and William M. E. Rachal (vols. 1– 7), and Robert A. Rutland et al. (vols. 8–) (Chicago: University of Chicago Press, 1962–77; Charlottesville: University Press of Virginia, 1978–), 11:125.

11. The quotations are from notes Madison made in 1821 on a speech he had given at the Constitutional Convention of 1787; Marvin Meyers, ed., *The Mind of the Founder: Sources of the Political Thought of James Madison* (Indianapolis and New York: Bobbs-Merrill Company, 1973), pp. 504–5.

12. "Note During the Convention for Amending the Constitution of Virginia," December 2, 1829, ibid., pp. 518–19.

13. Farrand, *Records of the Federal Convention*, 2:203–4. See also J. R. Pole, *Political Respresentation in England and the Origins of the American Republic* (Berkeley: University of California Press, 1966), p. 360–61, 530–31.

14. Madison to Jefferson, June 19, 1786, in Madison, *Papers*, 9 :76.

15. Madison to Richard Rush, April 21, 1821, in James Madison, *The Writings of James Madison*, ed. Gaillard Hunt, 9 vols. (New York: G. P. Putnam's Sons, 1900–10), 9:45–46. See also McCoy, *Elusive Republic*, chap. 10.

16. "Note During Convention," in Meyers, *Mind of Founder*, pp. 516 –17.

17. Madison to Jefferson, June 19, 1786, in Madison, *Papers*, 9:76 –77.

18. "Majority Governments," in Meyers, *Mind of Founder*, p. 527–28.

# Recent Additions to the James Madison Papers at the Library of Congress

### by Paul G. Sifton

Since the completion of the microfilm edition of the Library's James Madison Papers in 1964, the Manuscript Division has acquired more than a dozen additional Madison items. The more significant additions acquired over these past fifteen years date from 1781 to 1834 and include letters to and from Madison and papers ranging in topic from President Washington's method of communicating with the Senate to the Virginia Convention of 1829. The papers document Madison's interest in a wide array of topics, including Russo-American relations, the arts, agricultural societies, the problem of preserving presidential letters, the University of Virginia, the genius of Philip Freneau, and the Bonus Bill question.

Taken chronologically, the first of these items is a Madison letter of 1781. While serving as a member of the Virginia delegation to the Continental Congress, Madison wrote to his father from Philadelphia on April 29, 1781. After informing Col. James Madison, Sr., that he would not purchase a flour bolting [i.e., sifting] machine at a price inflated to twice its true value, Madison commented on his brother William's plans:

> I am well pleased to find my brother Wm. has turned his thoughts seriously on the law, but I much fear his preparatory studies are not sufficiently ripened for the purpose. If he could place himself in a situation for alternately pursuing both, it would be adviseable to do it, and it would be an additional advantage if he were within the reach of some respectable Court where he could be learning the rules of practice. It is of great importance that no time be lost.

The letter also discusses rumored troop deployments, the continued monetary inflation, and the English capture of the valuable ship *Confederacy* on its return from a privateering expedition to the West Indies.

On August 9, 1789, President Washington sought Madison's advice on the proper mode of communicating nominations to the Senate. The letter is particularly important, for it not only demonstrates Washington's regard for Madison but also reveals the president's "inclination" with respect to personal appearances before the Senate which was to set the future course of executive-legislative relations:

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# Some Recent Publications of the Library of Congress

*The Book.* 1980. 32 p. By Barbara W. Tuchman, with an introduction by John Hersey. The Center for the Book Viewpoint Series, No. 1. Free from the Center for the Book, Library of Congress, Washington, D.C. 20540. A lecture delivered at the Library of Congress on October 17, 1979, jointly sponsored by the Center for the Book and the Authors League of America as the first in a series honoring Luise Marie Sillcox. Barbara Tuchman's talk considered the book from its beginnings—on a clay tablet dating from about 4000 B.C. narrating the story of the Flood—through the invention of paper, eyeglasses, radio, and TV to the twentieth century. John Hersey describes the author as having "the great civilizing gifts—intelligence, judgment, memory, humor, and . . . a scathing tongue for nonsense—so that in reading her we learn something about living as civilized beings." Reading Barbara Tuchman here, we learn too about the place of books in man's memory, the book's ability to influence men's actions, the public's regard for the author, and the public's taste in books. In the end, she asserts that the book's function is "to communicate, to convey a meaning, an art, a story, a fantasy, even a mystery, *to* someone."

*The Circle of Knowledge.* 1979. 47 p. $2.50. By John Finzi, Collections Development Office, with an introduction by James M. Wells of the Newberry Library and a bibliography by Ruth S. Freitag, Office of the Director for General Reference. Available from the Information Office, Library of Congress, Washington, D.C. 20540. This catalog of an exhibit held at the Library of Congress from December 7, 1979, to March 16, 1980, provides a brief history of encyclopedias and shows the ways in which the Library itself has become a vast encyclopedia (one of the themes of the exhibit). Annotations describe the thirty-eight items on display, which include encyclopedias from 1400 to the present. Illustrated.

*Diplomatic Hebrew: A Glossary of Current Terminology.* 1980. 188 p. (S/N 030-001-00091-5) $8.50. Compiled by Lawrence Marwick of the Hebraic Section, African and Middle Eastern Division. This compilation reflects developments and coinages in diplomatic Hebrew and related terminology not available in general dictionaries. The Hebrew-English vocabulary is followed by an extensive list of acronyms of current Israeli Hebrew and a bilingual listing of international associations, bureaus, institutes, councils, and treaties concerning Israel. Both governmental and unofficial bodies are integrated within the vocabulary used.

*The George Kleine Collection of Early Motion Pictures in the Library of Congress.* 1980. 279 p. (S/N 030-001-00088-5) $11. Prepared by Rita Horwitz and Harriet W. Harrison with the assistance of Wendy White. Louella Parsons called George Kleine "one of the pioneers": along with Thomas Edison, he promoted motion pictures as a universal form of entertainment and education. Both a producer and a distributor of films, Kleine also collected more than four hundred motion pictures, dating from 1898 to 1926. His collection now forms a significant part of the National Film Collection of the Library of Congress, one of the largest and most diversified in the world. Arranged by title in this catalog and described with complete bibliographical information, the films are listed also in a chronological index and in a general index by subject, collection and corporate names, production and cast credits, and series and alternative titles. Illustrations in the book include film stills, promotional material, and photographs relating to George Kleine and his business operations. In the introductory material, the reader will find an essay on George Kleine and the early motion picture industry, information on the provenance of the collection, and an explanation of how to use the catalog.

*Guide to Japanese Reference Books: Supplement.* 1979. 300 p. (S/N 030-001-00090-7) $10. Translated and edited by Mayumi Taniguchi, MARC Editorial Division, and other members of the Library staff. The English-language edition of *Nihon no sankō tosho, hoiban,* published as a supplement to *Nihon no sankō tosho,* 1965 (English-language edition: *Guide to Japanese Reference Books,* 1966). An annotated bibliography containing titles of approximately seventeen hundred works that should be helpful to the researcher and to the librarian who wishes to build a basic reference collection. Most of the works were published or reprinted between September 1964 and December 1970. A cumulative index of authors and titles is provided.

*Members of Congress: A Checklist of Their Papers in the Manuscript Division, Library of Congress.* 1980. 217 p. (S/N 030-003-00019-5) $9. Compiled by John J. McDonough with the assistance of Marilyn K. Parr, Manuscript Division. More than eleven thousand persons have served in the U.S. Congress since the Continental Congress met in 1774, and of these 874 are represented in the Manuscript Division collections. The papers are varied in kind, content, and completeness—there is extensive material on some Members and merely scraps of information on others. This checklist provides researchers with a guide and introduction to this rich and important collection of papers. The appendixes list the Members by state and by the Congress in which they served. Illustrated.

*Southeast Asia: Western-Language Periodicals in the Library of Congress.* 1979. 201 p. (S/N 030-000-00113-3) $10. Compiled by A. Kohar Rony of the Southern Asia Section, Asian Division. This bibliography lists Library of Congress holdings of periodicals containing information on Southeast Asia, including Brunei, Burma, Cambodia, Indochina, Indonesia, Laos, Malaysia, the Philippines, Portuguese Timor, Singapore, Thailand, and Vietnam, and on Melanesia and Polynesia. The 2,293 main entries are arranged in a single alphabetical sequence, followed by a subject and issuing-body index which is organized alphabetically by geographic areas.

*The USSR and East Central and Southeastern Europe: Periodicals in Western Languages.* 1979. 87 p. (S/N 030-020-00013-8) $3.75. Compiled by Janina W. Hoskins, European Division. Fourth edition of a bibliography published in 1967 under the title *The USSR and Eastern Europe.* The new edition includes currently published journals in the social sciences and the humanities in Western European languages, on Albania, the Baltic countries, Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the Soviet Union, and Yugoslavia. A selected list of defunct periodicals is also included. Index of titles and issuing organizations.

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# Editor's Note

My generation's perception of World War II was greatly influenced by the media—President Roosevelt announcing our entry into the war on the radio, our servicemen fighting in films, and entertainers recording patriotic songs. For those whose first wartime memories are of Vietnam conflicts broadcast on television, the romantic concept of war, if it had ever been born, must have been destroyed, in the same way that McCarthy and Nixon were destroyed by this electronic eye.

With the outbreak of the First World War, all amateur radio users had been ruled off the airways, and the nation's wartime visions were formed by the press and letters and visits from those who had been in the battle arena. Decades later, however, such films as Lewis Milestone's *All Quiet on the Western Front,* Jean Renoir's *La Grande Illusion,* and Stanley Kubrick's *Paths of Glory* portrayed the futility and disillusionment that was aroused by that war, as William Wyler's *The Best Years of Our Lives* and Hal Ashby's *Coming Home* did with more immediacy after World War II and Vietnam. These films and broadcasts, sights and sounds of the past, have enabled different generations to experience and interpret the world-shattering events of this century.

That the social and emotional as well as the economic and political history of civilization can and should be shared by many generations through the preservation of more than the written word was not recognized soon enough to save many early films, recordings, and radio and television broadcasts. The question of what should be preserved has long been with us, as James Barrie so delightfully demonstrates in his dedication to the five boys he claimed he rubbed together to produce the spark which became *Peter Pan.* One day Barrie offered "No. 4," who was then ten, the manuscript of his book *Margaret Ogilvy,* which "No. 4" rejected because his desk was "awfully full," and he had already read it. Barrie responded that "people sometimes liked to preserve this kind of thing as a curiosity." The young man, unconvinced, took his leave but returned a few minutes later with his younger brother and announced triumphantly, "No. 5 will have it."

Although the Library of Congress is "awfully full" and holds much that has already been read, as well as seen and heard, it has been blessed with many a "No. 5." In this double issue of the *Quarterly Journal,* Gösta Werner, a Swedish film director, and Lawrence Karr, of the American Film Institute, discuss early films that have deteriorated and have been lost forever. How these losses have made film authentication even more difficult is explained by David Shepard, of the Directors Guild of America, who is also concerned with film preservation. No playable recordings remain from the first ten years of sound reproduction, but, in his article on Emile Berliner, James Smart describes the recording incunabula and repertories that have survived since the nineteenth century. Little thought was given to preserving early radio broadcasts, especially since they were live; therefore, it is to other sources that we must turn, such as the program recordings on 16-inch discs in the Armed Forces Radio Service Collection which Samuel Brylawski describes. Many early television broadcasts were also ignored, at a time when it was not foreseen that by the present decade 96 percent of all American households would have a television set which would be in operation for an average of six and a half hours a day. Arlene Balkansky describes the Library's major television holdings, which range from broadcast jour-

> The cartoon comedies, especially the Silly Symphonies of Walt Disney, have made excellent use of accompanying music. Sometimes this takes the form of little songs, like the vastly entertaining "Big Bad Wolf," sometimes it is a parody of familiar music such as the "William Tell" Overture in the Band Concert. Most critics will agree that Disney is one of the most original contributors to the new art of the motion picture, and his use of music is no less original and delightful.
>
> But, on the other hand, what of the serious musical accompaniment to screen comedies and dramas that was so promising in the old days of the silent films? This was replaced by spoken dialogue. Dialogue spoken to musical accompaniment has never been very satisfactory, and although the increasing use of pantomime affords space for music which could be telling and of interpretative value, few directors have taken advantage of this opportunity. You will notice that, although in many of the more pretentious films there is a musical background, it seldom achieves distinction.[27]

At the time of *The Jazz Singer,* the twenty-five-year-old Disney was an independent animator, solvent but with limited assets. Early in 1928, having just lost the rights to his first creation, Oswald the Rabbit, he was looking anxiously for a way to promote his new character, Mickey Mouse. His first two Mickey Mouse films, *Plane Crazy* and *Gallopin' Gaucho,* had been conceived as silents; he decided that in his third, *Steamboat Willie,* not only would there be music and sound effects but his characters would make appropriate animal noises. Together with an animator, Wilfred Jackson (later to become one of his directors), whose musical ability was limited to playing the harmonica and using a metronome, Disney worked out on paper a fully synchronized timing scheme, including a rudimentary musical score using "Steamboat Bill" and "Turkey in the Straw." The latter is the "score" for a one-mouse band concert using pots and pans, a cow's teeth, and a number of suckling pigs attached to their mother, cum teats. In later films, the mammary paraphernalia with which *Steamboat Willie* abounds is suppressed (for example, the female centaurs in *Fantasia* have daisies).

Mike Barrier has published, in *Funnyworld,* a most valuable assemblage of firsthand and expert accounts of the making of sound tracks for the early Disney films.[28] To his credit, he has allowed various unclear and varying statements to stand without attempting to reconcile them editorially. From his informative publication, Bob Thomas's detailed *Walt Disney: An American Original,*[29] and other accounts, we can attempt to piece together the events that led to the historic New York launching of *Steamboat Willie* on November 18, 1928.

In working out the sound track, Disney had Jackson set his metronome and play whatever tune seemed appropriate. When the tune and the tempo seemed right for the action Disney was contemplating, he would calculate, without benefit of musical notation, the number of beats and the corresponding frames on the film. By this time, the projection speed of motion pictures was established at twenty-four frames per second. Therefore, Disney could make the exposure sheet for his animation based on a reliable standard. Jackson made what he called a "bar sheet" or "dope sheet." He describes the making of the bar sheet this way:

> It had a little square for each beat in each measure, and it had an indication of the tempo; it was in twelve frames, or sixteen frames, or whatever, to the beat. Within that square, the key action and the scene number was indicated, so that the bar sheet showed that each scene began so many frames before a certain measure. That way, we were able to synchronize the scenes, which were shot separately, of course. Each individual scene would be shot from the exposure sheet, but from the bar sheet, you could tell where to lay the scene in against the music track, once you found out where the first beat of the music was. My contributions to sound cartoons were that I knew what a metronome was, and I worked out what was first called a dope sheet and later a bar sheet.[30]

One evening in July 1928, after the film was animated, Disney and his studio colleagues showed it to their wives, who reportedly watched with only casual interest, while Disney, Jackson, and company, with harmonica and assorted noisemakers, supplied the sound from behind the screen over an impromptu sound system. The screen was a translucent linen sheet that allowed the sound-effects crew to see the film without being observed; the noise from the projector was reduced by placing it outside the window.

Possibly by this time some kind of visible synchronizing system had been devised whereby appropriately spaced marks or scratches on the film print would establish, as they flashed on the screen, the tempo for the music and sound effects. These visual metronomic marks would have followed Jackson's rudimentary bar sheet. Almost certainly, such a system was devised by the time Disney took the film to New York that September to have his sound track recorded.

But it was implemented only after the first recording session failed to produce satisfactory synchronization.

On his way to New York, Disney stopped in Kansas City to visit Carl Stalling, a friend and musician who played organ and conducted the orchestra for films at the Isis Theater. He was soon to work with Disney as composer for Mickey Mouse and the early Silly Symphonies, before going to Warner Brothers where he would compose more than six hundred cartoon scores. Stalling recalls:

> Walt came through Kansas City on his way to New York to record the music for *Steamboat Willie* (1928). I didn't go with him, since he already had that all set up. I had nothing to do with that.... Walt took a taxi to my home, and we talked principally of how sound pictures were causing a revolution in Hollywood. He had two silent pictures—"Gallopin' Gaucho" and "Plane Crazy"—already made, and he left those with me. I wrote most of the music for them at home in Kansas City.[31]

In spite of Stalling's claim that he had nothing to do with *Steamboat Willie,* he apparently did look at Jackson's "score." Barrier reports:

> Walt later told Jackson that when he stopped at Kansas City and showed Jackson's "score" to Carl Stalling, Stalling's comment was, "This man's no musician." Jackson says that Walt enjoyed kidding him about that thereafter, and adds, "Carl was right."[32]

Bob Thomas, however, states that "Stalling hastily composed a musical score for *Steamboat Willie,* timing it to the beats that Ub [Iwerks] had marked on the film."[33] This is plausible. In view of the fact that when Disney first recorded *Steamboat Willie* he had to hire twenty musicians, including three percussion and sound-effects men, it would have been impossible to proceed without a score and performing parts. But he also had an experienced conductor, Carl Edouarde.

Disney's daughter, Diane Disney Miller, recalls her father's account: "When Edwardi saw the score worked out by Father and Father's mouth-organ player, he was amused. Even Father admits it must have been a funny-looking score for, after all, it wasn't written by musicians."[34] And so, possibly Edouarde himself prepared the parts.

At any rate, on September 17 the first recording session took place in the Cinephone studios, owned by Pat Powers, who, unknown to Disney, was using RCA equipment without a license. The session was a disaster. According to Diane Miller, Edouarde was overconfident and declined to use Disney's synchronizing system. Powers supported Edouarde and promised to pay for retakes if the synchronization failed. Moreover, Power's equipment kept blowing tubes, presumably because of the loud sound effects, an overwhelming string bass player who finally had to be moved into the next room, and Disney himself, who in doing the "voice" of the parrot got overexcited. Because everything—sound effects, music, and voices—had to be recorded on one track straight through, each breakdown of equipment or missed cue meant starting over. If one recalls our earlier account of the recording technique exemplified in the "Flight to Neverland" sequence from *Peter Pan,* one can appreciate the advantage of having the various elements of one's sound track in separate takes. Not only is it cheaper to rerecord a few measures that can be mixed with the final full track, but it is also safer to have separate tracks for the final dubbing of all the sound and voices together. Then, if one cue is too loud or too soft, it can be adjusted in dubbing.

When Edouarde finally got a complete, well-balanced recording, it was not in synchronization. Diane recounts that he turned to Disney apologetically and said: "The next time, I think I'll try that idea you were telling me about when you first came in, Disney—you know, using those flashes as a visual metronome."[35]

Then Powers let Disney know that his promise to pay for the retakes did not include the musicians' fees. And so, the next time, Disney reduced the size of the orchestra, sold his car to pay the musicians—and got a good recording. According to Christopher Finch, Disney also "had the film reprinted with the addition of a bouncing ball system, to indicate the accents as well as the beat, making it much easier for Edouarde to follow."[36]

But, as an October 20 letter home to his wife Lilly shows, he was still having serious problems finding a distributor.[37] However, Harry Reichenbach, an experienced showman and exhibitor, had attended a screening of *Steamboat Willie* when Disney was trying to promote it to a distributor, and he persuaded Disney to let him exhibit it, with fair remuneration to Disney, at the Colony Theater on the theory that no distributor would touch it unless audience reaction had been tested. React they did, and it was the effect, the animators used a simple and invaluable tool, the "rotoscope," with which a live-action film can be projected by holding one frame at a time on an animator's easel so that the action can be studied and traced in the style of the cartoon. Fleischer and Disney pioneered the use of the rotoscope, and in *The Cat Concerto* MGM's William Hannah and Joe Barbera, the directors of the Tom and Jerry series, used live-action film of Bradley-de Pachmann to make Tom-de Pachmann a most believable virtuoso.

### United Productions of America

In the 1950s, UPA embarked upon a brief period of artistic and popular success. We have mentioned its antithetical relationship to the producers of such characters as Warner's Bugs Bunny and MGM's Tom and Jerry. These creators had, in turn, been reacting to and departing from, in content if not animation style, the Disney short. They did this by skillfully using the Disney techniques of art design, draftsmanship, and animation, but changing the content by introducing not only the violence deplored by many but also elements of broad satire and outright silly lampooning not found in Disney's films. Warner's cartoons actually made fun of Disney. *Corny Concerto* (1943), directed by Bob Clampett, is a *Fantasia* parody, in which, among other things, Bugs Bunny, in a scene designed to illustrate the beauties of Johann Strauss's *Tales of the Vienna Woods,* recovers from what had appeared to be a fatal hunting accident wearing a blue brassiere and matching tutu. He dances off into the forest, and commentator Elmer Fudd remarks perceptively: "Wasn't dat wuvwee," and drops his pants. Warner cartoons also offered caricatures of the studio's own stars, including Edward G. Robinson and Lauren Bacall.

However, UPA was not originally formed to reform animation. Before distribution arrangements were made with Columbia Pictures, this studio was making mostly industrial films. Headed by a former Disney man, Steven Bosustow, UPA attracted other important Disney staff, some of whom, like Bosustow, left or were forced to leave as a result of unionization and the enusing strike of 1941. That dispute strained both Disney's tolerance and the loyalty of some Disney workers beyond the breaking point. When UPA began theatrical distribution, it had no established style. The studio's guiding principles were based partly on the determination to make the most of its financial limitations by experimenting with stylized, two-dimensional artwork. UPA was not the first to work along these lines, but it was very successful, artistically and commercially, if only for a short while, and a few of its films from the early 1950s have deservedly become classics.

It is of general as well as musical interest to note that Disney himself made a successful, Academy Award-winning "limited animation" cartoon, *Toot, Whistle, Plunk, and Boom* (1953), a rather fanciful review of the ancient origins and technical principles of modern orchestral instruments. Perhaps to impress viewers with the fact that he was not resorting to such animation techniques for economic reasons, Disney made it in Cinemascope with stereophonic sound.

Promotion for the new UPA-type of animation pointed out the sophistication of the new "art" films, with their obvious indebtedness to such popular and established twentieth-century painters as Matisse and Picasso. (There was a deliberate effort among UPA proponents to denigrate the Disney style. In the long run, this helped neither the development of traditional animation, already economically threatened, nor that of UPA itself.) Aline Saarinen's 1953 article "Cartoons as Art" documents the contemporary receptiveness to UPA:

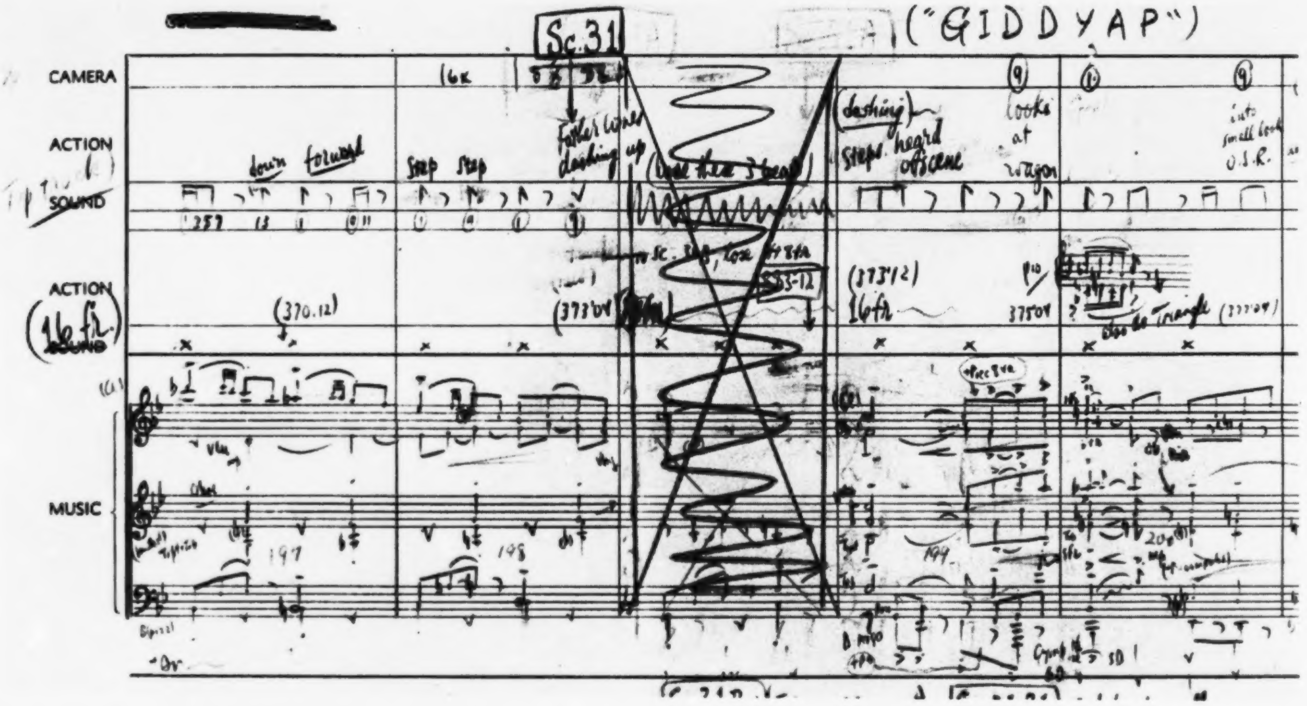
> Unlike most animated cartoons, UPA ones never try to imitate a photographic or "artistically" realistic, three-dimensional setting. Space is treated as abstractly as desirable . . . The emphasis is on line rather than modeling. . . . There is the distillate of an image (and here one recognizes the debt to such fine artists as Picasso, Matisse, Steinberg, and above all, to Modigliani). . . .
>
> Ideas are part of these cartoons' distinctions. . . . They are ideas which for all their humor and entertainment value have serious implications, such as McBoing Boing which tells of society's callousness to an individual's idiosyncrasy—a lesson in tolerance.[59]

*Gerald McBoing Boing* (1950), Academy Award-winning short cartoon for 1951, was conceived to be prescored by Gail Kubik using a film story in rhymed verse by Dr. Seuss (Theodore Geisel). The result was not only a fine film but a film score that makes an excellent concert piece for narrator, chamber orchestra, and a battery of percussion instruments.

The story is about a boy, Gerald McCloy, whose vocal prowess includes making every conceivable sound—except speech. Initially, he is given up as a hopeless case by doctor, teacher, schoolmates, and finally his own parents. In despair, he leaves home on a cold winter night and, about to hop a freight train for nowhere, is suddenly stopped by the owner of a radio station who has heard of the boy's skills and wants to capitalize on them. In the end, Gerald becomes rich and famous, much to his parents' delight; and, in the final scene, they drive off in a limousine long enough to accommodate the entire symphony orchestra that Gerald will replace in the next McBoing Boing film, *McBoing Boing's Symphony* (1953). That Gerald is ostracized at home until he is discovered by a captain of industry shows the cynicism of the message underlying the happy ending. But the film is entertaining and the music perfectly conceived to carry the picture and the story through its humorous, sad, frightening, and happy phases.

David Raksin[60] composed scores for four UPA cartoons, two of which we will examine: *Giddyap* (1950) and *Unicorn in the Garden* (1953).

The first was directed by former Disney animator Arthur Babbitt, who had been instrumental in the animation and development of Goofy. He also animated the queen in *Snow White,* Gepetto in *Pinocchio,* and the marvelous chinese mushrooms in the "Nutcracker" portion of *Fantasia.* More recently, he animated the stuffed camel in Richard Williams's *Raggedy Ann*



*Detail from David Raksin's working score or "bar sheets" for UPA's* Giddyap *(1950). These measures correspond to mm. 9 ff. in the full score of the horse's dance, "Hoofloose and Fancy Free," reproduced in this article in full score. On the lower "sound" line ("sound" crossed out) Raksin has indicated "(16 fr.)," meaning clix, made by punching the sound track of the film, heard every sixteen frames. Clix may be indicated by frame and sprocket (4 sprockets per frame). For* Unicorn in the Garden, *Raksin chose a clik track of 10-2s for one sequence, meaning one clik every ten frames plus two sprockets, or 10.5 frames.*

*The "x"s are the points where the clix are heard by the conductor over earphones during recording. The "(370.12)" over the second clik is the exact point on the film, in feet (370) and frames (12), at which the clik occurs. On the higher "sound" line ("sound" crossed out), Raksin has written "tap track," indicating percussive effects to synchronize with the footwork of the dancing horse, which the composer has analyzed to the frame. The numbers below indicate frames at which the action occurs. "1" is the first frame of each clik.*

*The third measure, originally to 8 frame clix but crossed out, and the following fourth measure with its many erasures, show stages of composition and revision. The cancelled measure with three 8-frame clix was an attempt "to keep the rhythm from being too 'square,'" as Raksin explains it. He continues: "Then I found that this would bring me to Sc. 31 Bb and the cartwheels 8 frames too early for the muted trumpet solo to work as planned; so I rewrote the third measure in* alla breve *(bar 199). This was necessitated, in part, by the director's inserting Sc. 31 Ba, which was 3 feet long, and for which I had to compensate later." Copyright © 1980 by David Raksin.*

working on this piece born of Thurber's notorious misogyny, nevertheless composed a score that reveals deep sympathy with the human suffering that underlies and motivates Thurber's fable. The fine hand of Scott Bradley might have turned this film into something funnier and quite different; but it would not have been true to Thurber, as is implicit in the author's own appreciation of the film's music. In contemplating Thurber's superficial nastiness, I am reminded of Mark van Doren's story—told shortly after Thurber's death—of how Thurber, in 1941, tormented by his failing eyesight, confided in him at their first meeting that he believed it was God's way of punishing him for having made a career of writing vicious things about people. Van Doren was stunned. The affirmative side of Thurber's prickly nature was abundantly manifested in his best satirical pieces, and Raksin's affirmative score plays an indispensable role in setting the humane tone of UPA's *Unicorn in the Garden.* Just one musical joke asserts the cause of male chauvinism: As the wife is taken away, the triumphant strains of Mendelssohn's Wedding March proclaim the husband's liberation (disc side 1, last band).

The entire music sound track is presented on one side of the enclosed disc. With a watch, one can check against the time chart opposite the frame enlargements to see what action or dialogue corresponds to the music.

Raksin had intended to play the alto recorder himself for the recording of his score. When he realized that he could not both play and conduct to clix, he entrusted the part to a virtuoso clarinettist who had but two days to familiarize himself with the instrument. Regarding his choice of recorder—quite unusual for 1953—Raksin wrote that "unicorns make you think of tapestries, where you saw the beast for the first time. And that leads to the Renaissance and to the sound of the recorder."[67]

## Postscript

Speaking of tapestries, in an article on "Music and the Animated Cartoon" animator Chuck Jones wrote:

> Mosaics and tapestries have enchanting stories to tell—in fact, will become understandable to most of us only when they become more human. The run-of-the-mill tapestry contains about the same degree of credibility to me as a petrified salamander. I can't believe the salamander ever salamandered, and the tapestry looks about as human as a geological fault. We can do something about it if we will, and there are several reasons why we should—among them a personal one of my own concerning a seventeenth-century bucolic tapestry called "Apollo and the Muses." The thing is crowded with variously voluptuous and idiotically unconcerned ladies in deshabille, surrounding a handsome rube, dressed in a shirt, with a twenty-five-pound lyre poised lightly in his off hand. His other hand is daintily uplifted, preparatory to a downward strum. He apparently is a past master at his instrument because his head is upturned toward a sort of Stuka angel whose power dive has carried him within about three feet of our hero's face. This little monster is on the point of releasing a very lethal-looking arrow. For three hundred and forty years this scene has remained in a state of suspended animation, and I, for one, would like to unsuspend it—if only to determine whether our friend succeeds in finishing his piece or gets spitted. His girl friends may be unconcerned, but I am not.[68]

Of course, only Chuck Jones or his distinguished colleagues could realize for us the outcome of this suspenseful story. But their finest efforts would be futile unless they could find the composer to show us at least how the tune began—and convince us that it would be worth finishing. That the piece should ever be allowed to be finished today—except perhaps in the merciful hands of Mr. Jones and a few of his more sensible colleagues—is doubtful. Probably it would follow the historic procession of comic musical classics in the great *cantus interruptus* tradition that range from Walther's Act 1 confrontation with Beckmesser in Wagner's *Die Meistersinger* to the innumerable foiled warblings of funny ducks, cats, mice, rabbits, and other animated "cartooniana." And perhaps that is as it should be, for the comic tradition, like Beckmesser, does not suffer beauty—at least tuneful beauty—gladly. As the cartoon composer Scott Bradley (perhaps in a mood of temporary resignation over a Tom and Jerry with a high opus number) said of music—and there are others who would say it of life—"[It] can't be both funny and beautiful."[69]

But can't it? *Unicorn in the Garden*—Thurber's fable, UPA's animation, and Raksin's score—is funny and beautiful. Indeed, it must be both these things for, were it not, it would be unbearable since the story is both horrible and true. Only the fantasy, which is the beauty and the humor, makes that marital cold war tolerable. Thurber's suave, gentle, Freudian mythical beast and Raksin's acoustically informed and sinuous unicorn melody for the ancient recorder give hope through their art. Amid such painful truths, one needs artful fantasy, for without it the normally life-saving sense of humor turns to mere cynicism which only serves to sustain a state of emotional and sensory numbness. To maintain that balanced humor is never easy, for creators continually teeter precariously between the brutal and the mawkish, leaving themselves open to a degree of self-exposure which few have the courage to risk.

Cartoon characters, those sometimes brutal, sometimes mawkish creatures, while they have not become mythical beasts by virtue of being obsolete fantasies, remind me of the places where I once saw them which are becoming increasingly obsolete: Manhattan's rococo movie palaces, scattered from Yorkville to Broadway, and its art deco Trans-Lux theaters. Today, we can hear medieval music performed at the Cloisters in upper Manhattan, surrounded by perhaps the most famous unicorn tapestries in the world. The Cloisters were moved, stone by stone, in this century from France to an embankment overlooking the Hudson River. Perhaps someday, 500 years hence, someone may find an old movie theater and move it, block by block, to some colonized planet and show cartoons. And some latter-day Chuck Jones in the Twenty-Fifth Century will humanize those cartoons by realizing them as tapestries, while his Raksinian counterpart plays the recorder, undisturbed by having to conduct to clix.

## NOTES

1. James Stuart Blackton, a British-born artist, was a significant pioneer in the early American film industry. He was cofounder with Albert E. Smith of the Vitagraph Company of America in 1896, using a converted Edison projecting Kinetoscope as a camera. Experimental animation was only a part of his contribution to film. His first "cartoon" was made in 1906, about a year before Frenchman Emile Cohl, a jeweler and amateur artist, experimented with the one film technique essential to animation that the magician George Méliès seems not to have used: single frame exposure cinematography. Winsor McCay is discussed later in this article (Animated Cartoons Before Sound). He worked for Blackton at one time.

2. Norman McLaren is best known for his animated films made by drawing directly on film. For a discussion of his and others' use of "synthetic sound," see his essay "Animated Sound on Film" (from a pamphlet published by the National Film Board of Canada, 1950). It is reprinted in Robert Russett and Cecile Starr, *Experimental Animation: An Illustrated Anthology* (New York: Van Nostrand Reinhold Company, 1976), pp. 166–68.

3. Disney had conceived the project in 1935 and though he worked on the idea sporadically, he did not begin production until 1951. The film was released on February 5, 1953.

4. Donald Heraldson, *Creators of Life: A History of Animation* (New York: Drake Publishers Inc., 1975), p. 151.

5. His collaborator was John A. Fitzsimmons, whose account of making *Little Nemo* is in Judith O'Sullivan, "In Search of Winsor McCay," *AFI Report: The American Film Institute* 5 (summer 1974): 7.

6. Max and Dave Fleischer made a twenty-minute animated film, *Einstein's Theory of Relativity*, in 1923. Later in the same year they produced a fifty-minute film, only partly animated, called *Evolution*. Both films survive. The existence of an animated instructional film on Lee de Forest's Audion tube is attested to by five extant recordings dated October 17-18, 1922, that contain the narrative portion of the film. They are the earliest electronic recordings in the Library of Congress's collections.

7. Joe Adamson, "From This You Are Making a Living?" *AFI Report: The American Film Institute* 5 (summer 1974): 10.

8. Ibid., p. 16; and Heraldson, *Creators of Life*, p. 34.

9. Grey Ford and Richard Thompson, "Interview with Chuck Jones," *Film Comment* 11 (1975): 21. See also: Bob Thomas, *Walt Disney: An American Original* (New York: Simon and Schuster, 1976), p. 57. Ub (Ubbe Ert) Iwerks animated the first Mickey Mouse cartoon, *Plane Crazy* (1927). He left Disney in 1930 to work independently but returned in 1940 to form Disney's Special Process Laboratory. For a discussion of Harman and Ising see Mike Barrier, "The Careers of Hugh Harman and Rudolf Ising," *Millimeter* (February 1976): 46-49.

10. Adamson, "From This You Are Making a Living?" p. 15.

11. Yet, it is not entirely true that silent animated cartoons were commercial failures. One very successful animated cartoon character of the silent era was Felix the Cat, created by Pat Sullivan and drawn by Otto Mesmer. Felix the Cat inspired lucrative spin-offs, much like the Disney characters, whose features, protected by copyright, were profitably exploited by purveyors of everything from toy balloons to fruit juice. Felix's popularity declined with the advent of sound. See Heraldson, *Creators of Life*, p. 41.

12. See Wayne Shirley, "Another American in Paris: George Antheil's Correspondence with Mary Curtis Bok,"

brations for appearances only." (12/31/14) Two weeks later: "Was cleaning & making up negatives in Lady Mac's room when we had a misunderstanding & led to words. I was not feeling at all well & in pain, lost my temper & grossly insulted her for which I feel an awful cad & dare not hope to be forgiven." (1/15/15) Next day he apologizes, but a few days later Lady Mac decides to send him back to England. He sails from Mombasa around the Cape of Good Hope. The ship shifts course to avoid mine fields. World War I has begun; for the principal belligerents, areas of Africa are stakes in the struggle.

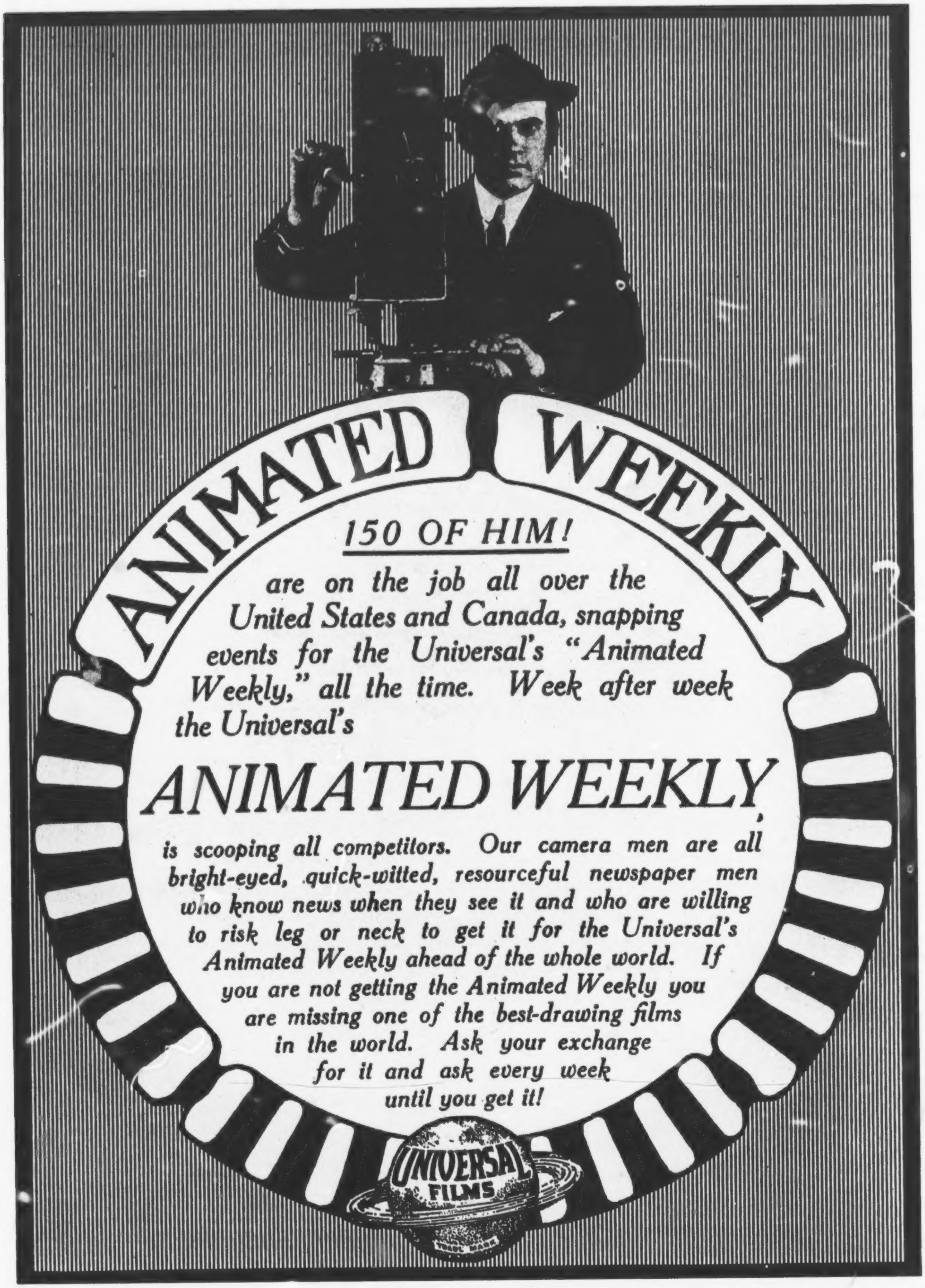
Arriving home, he immediately has an appendix operation. On the same day he notes that "Kinemacolor lost their appeal in the House of Lords today." Meanwhile we gather that Lady Mac, who has gone back to New York with all the film, still owes him a substantial sum in unpaid salary. He writes and cables reminders, saying he is "absolutely broke," but without results. After six weeks of these efforts he notes in the diary: "I have had no reply to my letter nor my last four cables sent to Lady Mackenzie in New York." Snitch's innumerable relatives (his father had fourteen children by three marriages) are furious and say he should go to New York to confront her and her backers, and his brother Archie offers him a loan for this purpose. Snitch books passage on the *S. S. Adriatic,* sailing from Liverpool. As he leaves, Maimie writes in his diary: "May God bless & bring you safely Home to your darling wee boys and ever faithful and loving wife Maimie." (5/12/15) Two weeks later he has the first of several confrontations with Lady Mac. "Had a showery with Lady Mac re my affairs & ended with hot words & she accused me of coming to New York for the purpose of blackmailing her. I told her I wished a prompt settlement of her obligations to me." (5/28/15) He also sees one of her backers, a Mr. Joyce. "He told me . . . he had loaned Lady M a small fortune & refused to put up any more money as he saw no possible chance of getting it back, through her mismanagement." (6/22/15) He also sees a lawyer and decides to bring suit if no settlement is reached. As this will take money, the Lady Mac pursuit is interspersed with job hunting. He sees a Mr. Wood at Essanay; calls on Universal, Éclair, Fox. "Took a streetcar to 130th Street crossed on the Ferry and took another car to Fort Lee, where I walked up to the Solax factory." (6/10/15)[4] He finds an old film acquaintance from England but no work. Another day: "called on Harold Ives & Co . . . later called on Gaumont's then down to Fulton Street to see Mr. Hemmerts. Ret'd home feeling dead beat & very tired." (6/14/15)

A fortunate circumstance comes to his aid. On June 7 *Lady Mackenzie's Big Game in Motion Pictures* opens at the Lyceum Theatre on 45th Street near Times Square and is praised by several papers, with Snitch's lion charge called "the sensation" of the film. He starts taking people "to see my pictures." (6/9/15) Unfortunately newspaper attention goes entirely to Lady Mackenzie; neither the film nor any newspaper mentions Sintzenich, and she herself plays down the cameraman's role. He was in no danger, she tells an interviewer. "The cameraman has always two armed boys to guard him." She also says the film involved "four operators," which causes Snitch to write indignant letters to the press, (6/16/15) apparently to no avail.

Nevertheless he finds work. A Mr. Whipple, chief of Universal's newsreel *Animated Weekly,* offers him a job as cameraman.[5] He accepts and goes into a whirlwind of "topical" assignments: a baby parade on Staten Island; a boat race at Poughkeepsie; an undertakers' convention with a display of opulent new caskets. He is sent to City Island to film "ladies bathing suits in the European style, one piece costumes, tight-fitting to the figure without skirts, which they are trying to introduce into this country." (7/9/15) A few days later he records that censors have banned his film. He also films Harry K. Thaw on his acquittal for the murder of Stanford White; Bernarr Macfadden doing physical culture exercises; and, on the same day, "President Wilson arriving in New York with his fiancee." (10/8/15) Later he covers a lunch of the American Defense Society, where "I had a very pleasant chat with Col. Roosevelt about Africa. . . ." (1/5/16)

Meanwhile Universal suddenly asks him to help with studio production, and he is involved in an avalanche of fiction films. We get a glimpse

*A full-page advertisement for Universal's newsreel* Animated Weekly, *from the January 10, 1914, issue of* Moving Picture World.



## ANIMATED WEEKLY

### 150 OF HIM!

*are on the job all over the United States and Canada, snapping events for the Universal's "Animated Weekly," all the time. Week after week the Universal's*

## *ANIMATED WEEKLY*

*is scooping all competitors. Our camera men are all bright-eyed, quick-witted, resourceful newspaper men who know news when they see it and who are willing to risk leg or neck to get it for the Universal's Animated Weekly ahead of the whole world. If you are not getting the Animated Weekly you are missing one of the best-drawing films in the world. Ask your exchange for it and ask every week until you get it!*

UNIVERSAL FILMS

LIST OF PLATES

JANUARY 1895.

BAND MUSIC.

(with cheers)
11 The same—Patrol
2 La Serenata
115 Star Spangled Banner
8 Coxey's Army
11 Salvation Army
9 Semper Fidelis (with drums.)
139 After the Ball
126 Bocaccio March
144 Liberty Bell March
140 Washington Post March
142 Admirals Favorite March
4 Friedensklange
105 National Fencibles
13 Gladiator March
19 Schottische, Nancy Hanks
15 Loin du bal
17 Waltz, Aphrodite
20 Mendelsohn's Wedding March

INSTRUMENTAL QUARTETTE.

807 Die Kapelle
Circus Band
h, King Joh
eurs Blatt

RYTON

Summer Co
theart Nell, an
Kentucky Hom
ck Knight

Cornet Con
211 Cloverleaf Po

242 Alpine Polka
248 Swiss Boy
243 La Paloma

DRUM A

700 Biddy Oates
706 American Med
702 St. Patrick's
705 The Spirit of

TROMBO

75 In The Deep C

PIANO.

256 Geisterfunken
253 March, Jolly Minstrels

INDIAN SONGS.

51 Three Melodies from the Ghost Dance
52 Three Melodies from the Ghost Dance
50 Three Melodies from the Ghost Dance

ANIMALS.

53 Morning on the farm

Hebrew Melodies.

400 Parshe Zav

SOPRANO.

Promise Me
How Delightful
Spangled Banner
something sweet to tell you
her I love her so
e Day
t and Future
nchinello
n the gloaming
6 Loves Sorrow

CONTRALTO.

Beauties Eyes
Drink to me only
Oh, Promise me

RECITATION.

ave for this important department
d the co-operation of the eminent ver-
elocutionist, Mr. David C. Bang-
Marc Anthony's Curse
A Lesson in Elocution.
The Village Blacksmith
(Many others in preparation.)

VOCAL QUARTETTE.

lind Tom (negro shout)
randfather's Birthd
roes' holid

nalism and drama to comedy and commercials.

Fortunately for film historians, films, reviews, written reminiscences, and production records from the D. W. Griffith years have survived. This period is recalled in Erik Barnouw's article on Arthur Sintzenich ("Snitch"), who was one of Griffith's cameramen from 1923 to 1926, in Jean Tucker's oral history of the early filmmaker based upon the observations of Lillian Gish and others who worked with him on *Intolerance,* and in Paul Spehr's production study of the early years of the Biograph Company.

Jean Renoir, in *My Life and My Films,* wrote that films are an emotional, not an intellectual experience. Griffith also expressed this nonverbal universality of films in his 1924 article, "The Movies 100 Years from Now":

> It will never be possible to synchronize the voice with the pictures. This is true because the very nature of films foregoes not only the necessity but the propriety of the spoken voice. Music—fine music—will always be the voice of the silent drama. . . . In the year 2024 each motion picture theater will have symphonic orchestras of greater proportions than we now dream of employed for moods to fit the sublime and the grand.

In a way this prediction has come true. We do have the finest orchestras performing for films, only not in the theater pit. But what would Griffith have thought of Walt Disney's *Peter Pan* and multiplane cameras and *Fantasia* and Fantasound and the magic that Disney's musicians, animators, and technicians produced. Jon Newsom recounts, in his article on music for animated films, how this "magic" was created. The same technology for synchronizing sight and sound which was so finely applied to animation was handled less imaginatively in a series of 1930s films starring opera singers. David Parker, in his article on *singerfilms,* proves that certain film genre can survive despite, or possibly because of, their ridiculous plots, miscasting, and faulty production techniques.

Based on another 1924 prediction, one would suspect that Griffith would have approved of Peter Pan's "Flight to Neverland" on screen and Neil Armstrong's moon walk on television in spite of the presence of "the spoken voice":

> One hundred years hence, the airplane passenger lines will operate motion-picture shows on regular schedule. . . . Almost every home of good taste will have its private projection room where miniatures, perhaps of the greater films will be shown to the family.

I close with my favorite Griffith prediction, hoping it was not his most fantastic.

> In the year 2024 the most important single thing which the cinema will have helped in a large way to accomplish will be that of eliminating from the face of the civilized world all armed conflict.

◆

When our perils are past, shall our
gratitude sleep?
George Canning
*Song for the Inauguration*
*of the Pitt Club,* 1802

In the summer of 1978, the Motion Picture, Broadcasting, and Recorded Sound Division was established at the Library and Erik Barnouw became its first chief. Busy though that first year was for him, he arranged a meeting with the *Quarterly Journal's* editor, Frederick Mohr, this editor, and possible contributors to this double issue. All who attended that meeting or were suggested as authors responded enthusiastically, donated their time and knowledge most generously, and did indeed write pertinent and valuable articles. We thank you, each and every one.

IB

# "A Sound Idea" Music for Animated Films

### by Jon Newsom

The motion picture has been called a collaborative art. Indeed, few films can legitimately be considered the progeny of a sole creator, since many fertile competitors contribute to the finished work. Certain extreme proponents of the auteur theory might consider this a kind of bastardy. But let us compromise by condoning the principle of artistic polygamy and agreeing that films and their component parts can be taken seriously on their own merits.

A film differs from, for example, an opera, for which usually just one composer and his librettist must take all the credit—or blame. A film may begin with something like a score: a fully developed shooting script. But it is a rare occasion when the finished film does not reflect substantial changes by, and original contributions from, producers, directors, actors, scriptwriters, cameramen, editors, and even composers. Many of these contributors remain, for all practical purposes, anonymous, even if they are outstanding names in their fields. (Will we ever know just how much William Faulkner did for or to the film of Ernest Hemingway's *To Have and Have Not?)*

Yet, it would seem animated films can be,

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Jon Newsom, assistant chief of the Library's Music Division, is currently working on the archives of film music in the Library of Congress and has recently published an article on the film music of David Raksin. He has also specialized in popular American music, researching early nineteenth-century brass band music and songs, and has published articles and record notes on the songs of Stephen Foster and Henry Clay Work, improvisational jazz, and the relationship between the German composer Hans Pfitzner and Thomas Mann.

The quotation in the title is from an interview of Richard Huemer published in *Funnyworld.* See note 22.

A seven-inch disc that contains the musical examples for this essay has been bound with this issue of the *Quarterly Journal.* This long-playing microgroove record can be played on any standard phonograph; however, for best results it may be necessary to place a regular phonograph record on the turntable mat to give rigid support to this small flexible disc. If it slips, the disc may be more firmly secured by placing a coin or other small weight on the label. Replacements for damaged or defective records may be ordered from the Music Division, Library of Congress, Washington, D.C. 20540.

break that Disney—and the art of the sound cartoon—needed. After that, distributors went to Disney.

### Disney's Composers

When Carl Stalling joined Disney, he became the first of many composers with whom Disney and his directors would work. During his relatively brief period with Disney, Stalling helped establish a working relationship between the two that prepared the way for methods of musical collaboration which, over the years, produced some of the most outstanding film scores of any studio. Speaking of the early days of the Disney-Stalling films, Wilfred Jackson recalled:

> Walt and Carl would time the pictures in Walt's office. Timing them consisted of working out what the music would be and what the action would be. . . . A lot of times Walt would want more time or less time for the action than could fit the musical phrase. So, there would be a pretty good argument. . . . Finally, Walt worked out a thing with Carl. He said, "Look, let's work it out this way. We'll make two series. On the Mickey Mouse pictures you make your music fit my action the very best you can. But we'll make another series, and they'll be musical shorts. And in them music will take precedence and we'll adjust our action the best we can to what you think is the right music." Those were the Sillys, and that was a way of getting something done and not getting in a dog fight all of the time.[38]

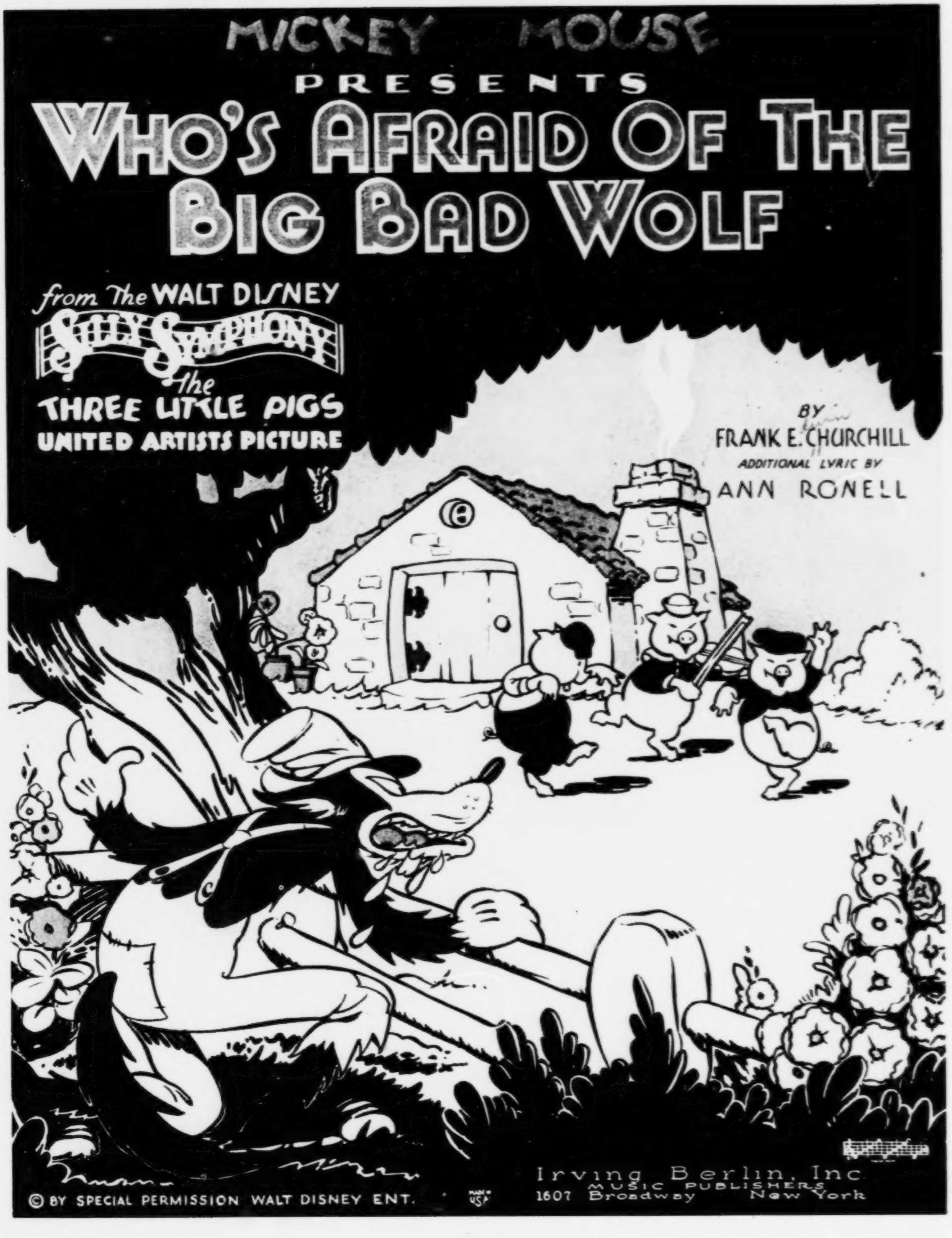
Disney produced seventy-seven Silly Symphonies between 1929 and 1939, with especially outstanding musical contributions from Frank Churchill and Leigh Harline.

Perhaps Churchill's most famous piece is "Who's Afraid of the Big Bad Wolf?" for the 1933 Silly Symphony *The Three Little Pigs*. Disney had no notion that his studio was about to produce a hit song, but it was this film that resulted in a contract with the Irving Berlin Music Corporation to publish the Disney songs. As Ross Care points out in his major essay on the Silly Symphonies, it was the "high level of sustained, integrated development" and "a synthesis of plot, dialogue, and music" that made the film important.[39] Disney insisted that musical set numbers in his features be a logical part of the unfolding story, not static interludes; Churchill's score for *The Three Little Pigs* exemplifies how music can contribute to character development and plot. Care's characterization of the film as "a one-act cartoon operetta" underscores the point that not only this film but many of Disney's other shorts and features can be regarded as musical dramas or "film opera," as William G. King said in a 1938 comment on *Snow White and the Seven Dwarfs*.[40]

If Churchill's greatest strength was as a composer of melodies, Leigh Harline's was as Disney's "symphonist," silly or otherwise, and his talents led him to dramatic orchestral scoring for some of Disney's finest shorts and features. Among Harline's scores, Care singles out *The Old Mill* (1937), earlier mentioned as Disney's first multiplane film, as "the finest, most lavish original score ever composed expressly for a short film"; and he cites the feature *Pinocchio* (1940), for which Harline wrote both songs and dramatic score, as "the longest individual musical contribution ever made by a single composer to any Disney animated feature."[41]

Harline also assisted with the first feature, *Snow White* (1938), for which Churchill wrote the songs. Disney's insistence that the songs in his films, unlike those in Hollywood musicals, should be woven "into the story so somebody just doesn't burst into song" was well heeded.[42] The technique, earlier mentioned with regard to *Peter Pan*, of having characters work into the song by having lines of song text spoken first was already being used effectively in Disney's earliest feature. The "Whistle While You Work" sequence moves smoothly from dialogue, through spoken song text, to the actual singing, with the orchestral accompaniment gradually developing the musical atmosphere. By the time Snow White and her forest helpers begin to sing as they clean up the dwarf's cottage, their song seems like a natural continuation of the preceding spoken dialogue. The songs are throughly integrated and dramatically well placed, but they also stand on their own, and *Snow White* may claim more enduring popular tunes than any other Disney film. Churchill's next and last major work was on the score to *Bambi*, released

*"Who's Afraid of the Big Bad Wolf," by Disney composer Frank Churchill, was written for* The Three Little Pigs *(1933) and was part of the Silly Symphony series. It was the Disney Studio's first hit song, and its popularity led to arrangements with Irving Berlin Music Corporation to publish this and future songs from Disney films, including those from* Snow White *(1938). Sir Laurence Olivier has said that he used the sinister caricature of the wolf as a model when interpreting the character of Richard III for his film version of Shakespeare's play. Copyright © 1933 Walt Disney Productions. World Rights Reserved.*


MICKEY MOUSE
PRESENTS
WHO'S AFRAID OF THE BIG BAD WOLF
from The WALT DISNEY
SILLY SYMPHONY
the
THREE LITTLE PIGS
UNITED ARTISTS PICTURE
BY
FRANK E. CHURCHILL
ADDITIONAL LYRIC BY
ANN RONELL
Irving Berlin, Inc
MUSIC PUBLISHERS
1607 Broadway New York
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MADE IN USA

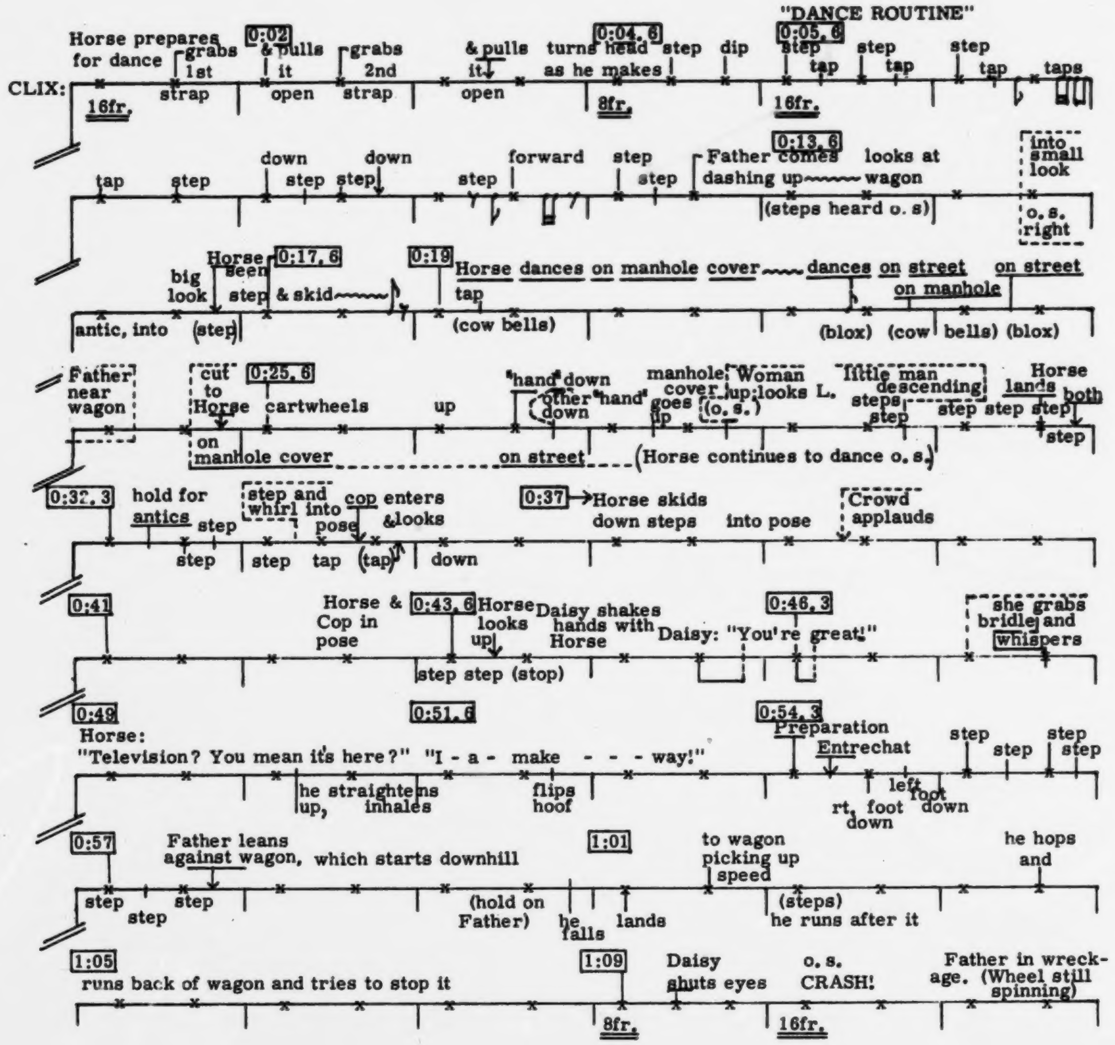
*and Andy* (1977).[61] In *Giddyap,* Babbitt's equestrian ham and his "Jolly Frolics" are described by Raksin:

> It's the story of a fellow and his daughter, who operate a horse-drawn milk wagon. They're not really making it, because there's a guy with a truck who always beats them there. The horse turns out to be a former vaudevillian who once played the Palace in New York. He tells his story and I wrote this dance to accompany it. It's called *Hoofloose and Fancy Free, or What Killed Vaudeville.* It was a joy doing a picture which had a horse in it, having done pictures previously that had just parts of horses in them.[62]

Both a portion of Raksin's pencil sketch and his manuscript full score for the horse's dance are reproduced herein, and the entire piece can be heard on the enclosed record. Raksin has placed the cues and synchronization marks on the line above the score. For readers who do not read music but wish to follow the action (count fast!) the entire cue line with beats, called "clix" and marked with little *x*'s, is provided. Each clik, with the exception of two measures, is at sixteen frames, or the equivalent of metronome marking 90.[63] I have provided a few timings to help orient people who, like myself, have trouble counting beyond the fingers on both hands while speed-reading and listening to music at the same time.

This joyful score was composed after the film had been animated. Since no regular metronomic beat had been established for the action, it required painstaking efforts to find the right tempo, especially for a dancing quadruped. Needless to say, the effort is not seen, much less heard.

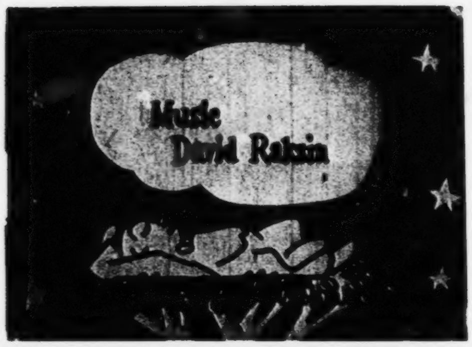
**GIDDYAP "Hoofloose and Fancy Free" Clik Track with Action and Timing**

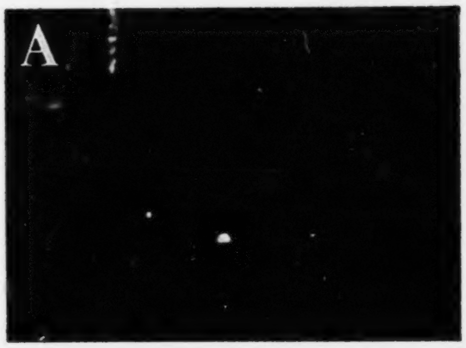


# UNICORN *IN THE* GARDEN

*A U.P.A. FILM*

*Producer: Stephen Bosustow*
*Director: William T. Hurtz*
*Designer: Robert Dranko*
*Animators: Phil Monroe & Rudy Larriva*

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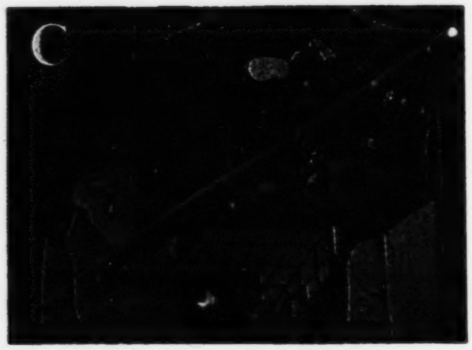
B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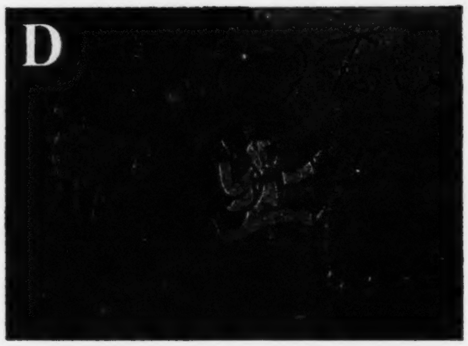
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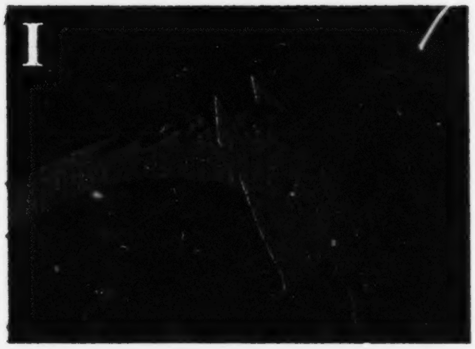
G

H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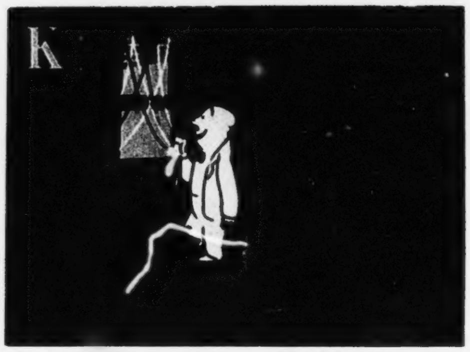
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L

*QJLC* (January 1977): 14–16. On Antheil's view of his score, vis-à-vis the Léger animated film, see his jacket note on Columbia recording ML-4956: "Previously, no one seemed to have bothered with time as a musical ingredient, except to observe whether or not a movement, or a section of tonal music was 'too long' or 'too short.' TIME-SPACE does not leave this to chance, but attacks it mathematically, and upon the basis of structure, musical engineering."

13. On Richter, see Arthur Knight, *The Liveliest Art: A Panoramic History of the Movies,* rev. ed. (New York: Macmillan, 1978), p. 83; and Paul Rotha, *The Film Till Now: A Survey of World Cinema* (New York: Vision-Mayflower, 1960), pp. 113 ff. On Hindemith's work with animated films, see Darius Milhaud, *Notes without Music,* trans. Donald Evans (London: Dennis Dobson, Ltd., 1952), p. 174; and Geoffrey Skelton, *Paul Hindemith: The Man Behind the Music* (New York: Crescendo Publishing, 1975), pp. 91–92.

14. John S. Weissmann, "Tibor Harsányi: A General Survey," *The Chesterian* 27 (July 1952): 14–17.

15. About the animated figures, Emmanuel Vuillermoz said: "These human beings are almost schematic. The supple body of the young girls has undulations that belong to the realm of the vegetable: [the undulations] are of tropical climbing vines, of plants, of flowery stalks that the wind blows up and down." (Trans. JN.) Quoted in Giuseppe LoDuca, *Le Dessin Animé* (Paris: Prisma, 1948), pp. 35–36.

16. Tibor Harsányi, *La Joie de vivre: divertissement cinématographique* (Paris: Editions Maurice Senart, 1934).

17. See Maria Luisa Crispolti, "Cinematography: Films Produced by Modern Movements," in *Encyclopedia of World Art,* vol. 3 (New York: McGraw-Hill, 1960), col. 627.

18. In *Film Comment* 11 (1975): 22, Chuck Jones is quoted as saying: "The pace thing started with *The Tortoise and the Hare* (1935) at Disney's."

19. Lee de Forest, *Father of Radio: The Autobiography of Lee de Forest* (Chicago: Wilcox and Follett Co., 1950), pp. 358–59.

20. Georgette Carneal, *A Conqueror of Space: An Authorized Biography of the Life and Work of Lee de Forest* (New York: Horace Liveright, 1930), p. 283.

21. Leslie Cabarga, *The Fleischer Story* (New York: Nostalgia Press, 1976), pp. 16–13.

22. Joe Adamson, "Working for the Fleischers: An Interview with Dick Huemer," *Funnyworld: The World of Film Animation and Comic Art* 16 (winter 1974–75): 26.

23. Mark Langer, "Max and Dave Fleischer," *Film Comment*" 11 (1975): 49.

24. Cabarga, *Fleischer Story,* p. 31; and "With the Unpaid Stars of the Movies," *Popular Mechanics* (July 1931): 8. "A long painstaking search to find a method of creating synthetic sounds on film has recently been rewarded by a patent to the Fleischer studios."

25. Lee de Forest, *Father of Radio,* p. 395.

26. Ibid., p. 397.

27. Douglas Moore, "Music and the Movies," *Harper's Monthly* (July 1935): 183.

28. "An Interview with Carl Stalling," *Funnyworld* 13 (spring 1971): 20–27.

29. Bob Thomas, *Walt Disney: An American Original* (New York: Simon and Schuster, 1976).

30. "An Interview with Carl Stalling," p. 21 n.

31. Ibid., p. 21.

32. Ibid., p. 21 n.

33. Thomas, *Walt Disney,* p. 91.

34. Diane Disney Miller as told to Pete Martin, *The Story of Walt Disney* (New York: Henry Holt and Co., 1956), p. 110.

35. Ibid., p. 113.

36. Christopher Finch, *The Art of Walt Disney: From Mickey Mouse to the Magic Kingdom,* new concise ed. (New York: H. N. Abrams, 1975), p. 27.

37. Thomas, *Walt Disney,* p. 95.

38. *Funnyworld* 13 (1971): 22.

39. Ross Care, "Symphonists for the Sillies: The Composers for Disney's Shorts," *Funnyworld* 18 (summer 1978): 38–48.

40. Ross Care, "The Film Music of Leigh Harline," *Film Music Notebook* 3, no. 2 (1977): 36.

41. Ibid., p. 37.

42. Thomas, *Walt Disney,* p. 44.

43. "*Fantasia*-Impromptu: The Editor in Conversation with Leopold Stokowski," *Royal College of Music Magazine* 47 (Easter 1971): 19.

44. *Newsweek* (November 25, 1940): 51–52; and Hermine Rich Isaacs, "New Horizons: *Fantasia* and Fantasound," *Theatre Arts* (January 1941): 55–61.

45. Otis Ferguson, *The Film Criticism of Otis Ferguson,* ed. Robert Wilson (Philadelphia: Temple University Press, 1971), p. 209.

46. Ibid., p. 290.

47. Ibid., p. 317.

48. Ibid., p. 392.

49. *Funnyworld* 18 (1978): 40.

50. Bluebird B–11586, recorded July 28, 1942.

51. *Funnyworld* 18 (1978): 40

52. Ibid., p. 45.

53. John Culshaw, "Violence and the Cartoon," *The Fortnightly* 1020 (December 1951): 830–35.

54. Ingolf Dahl asked Bradley for a biographical sketch. He is quoted as writing: "METRO GOLDWYN MAYER. INTER-OFFICE COMMUNCICATION To: Dahl SUBJECT: Dis-a and dat-a FROM: Bradley. Born . . . Russelville, Arkansas (but not an "Arkie" I hasten to add) . . . Studied piano, private instruction . . . organ and harmony with the English organist Horton Corbett . . . Otherwise entirely self taught in composition and orchestration . . . fed large doses of Bach, which I absorbed and asked for more. Conductor at KHJ and KNX in early thirties . . . entered the non-sacred realm of pictures in 1932 and started cartoon composing in 1934 with Harmon-Ising Co. [sic] Joined MGM in 1937 . . . have so far been able to hide from them the fact that I'm not much of a composer. Personal: dislike bridge, slacks and mannish dress on women, all chromatic and diatonic scales, whether written by Beethoven or Bradley. Also, crowds and most people (and especially biographers). Favorite composers: Brahms, Stravinsky, Hindemith, Bartok. This will be

boring to most everyone, so cut it as short as you wish. Signed: Scott." Ingolf Dahl, "Notes on Cartoon Music, *Film Music Notes: Official Organ of the National Film Music Council* 7 (May–June 1949): 4.

55. "Scoring for Cartoons: An Interview with Scott Bradley," *Pacific Coast Musician* (May 15, 1937): 12.

56. Scott Bradley, "Music in Cartoons: Excerpts from a talk given at the Music Forum, October 28, 1944," *Film Music Notes* 4 (December 1944): n. p.

57. Dahl, "Notes on Cartoon Music," p. 6.

58. George Bernard Shaw, *Music in London, 1890–1894*, vol. 2 (London: Constable and Co., Ltd., 1932), p. 177.

59. *New York Times*, August 23, 1953. Reprinted in Lewis Jacobs, *The Emergence of Film Art* (New York: Hopkinson and Blake, 1969), pp. 254–57.

60. John Canemaker, *The Animated Raggedy Ann and Andy: An Intimate Look at the Art of Animation, Its History, Techniques, and Artists* (Indianapolis: Bobbs-Merrill, 1977); contains chapters on individuals who worked on this film, including Arthur Babbitt.

61. For an article discussing Raksin's work, see Jon Newsom, *"David Raksin: A Composer in Hollywood," QJLC* 35 (July 1978): 142–72.

62. Allan Ulrich, *The Art of Film Music: A Tribute to California's Film Composers* (Oakland: Oakland Museum, 1976), p. 27.

63. For a comprehensive manual on sound synchronization in film see Ruby Raksin, *Technical Handbook of Mathematics for Motion Picture Music Synchronization*, 2d ed. (Sherman Oaks, California: R-Y Publishing Co., 1972).

64. James Thurber, *Fables for Our Time and Famous Poems Illustrated* (New York: Harper & Brothers, 1940).

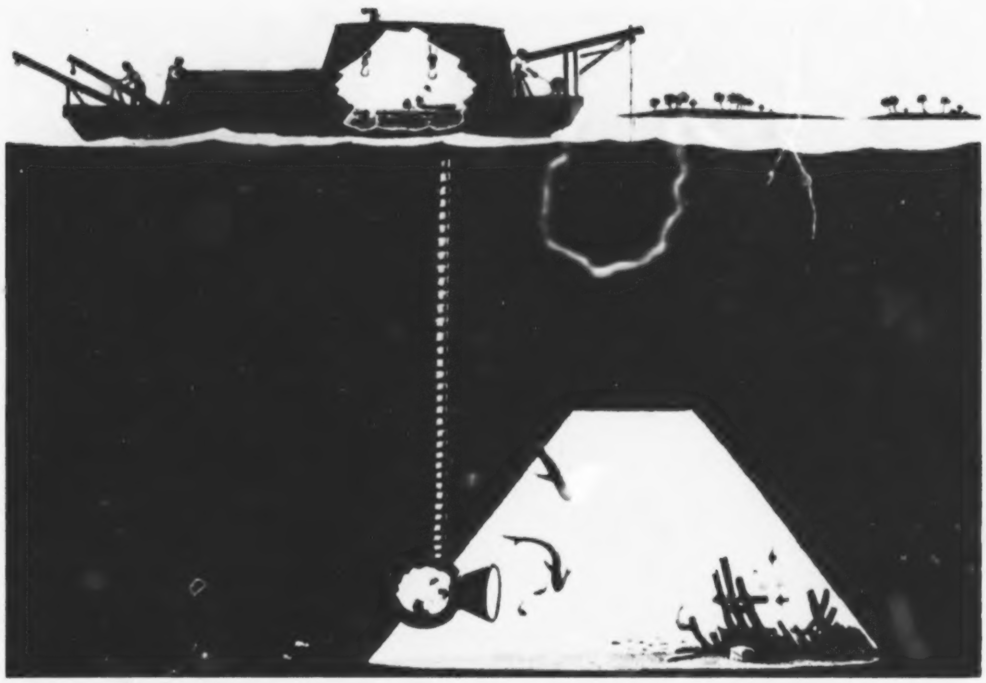
65. Ulrich, *Art of Film Music*, p. 37.

66. Ibid., p. 28.

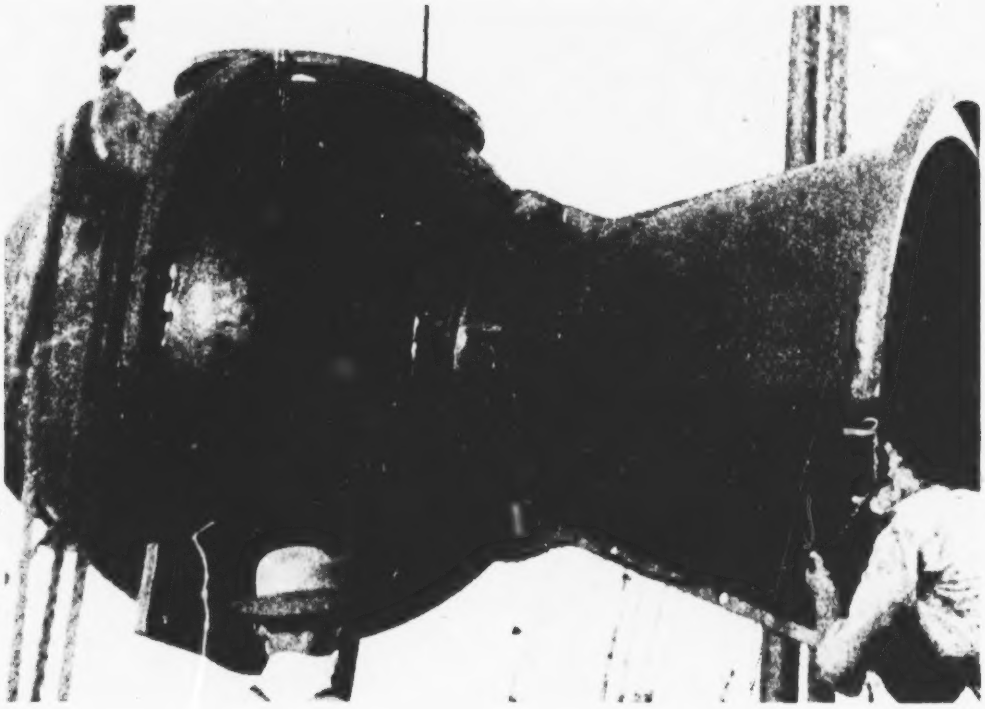
67. Ibid.

68. Chuck Jones, "Music and the Animated Cartoon," *Hollywood Quarterly* 1 (July 1946): 367.

69. Bradley, "Music in Cartoons," n. p.



*The Williamson submarine tube, which made it possible to take the first undersea motion pictures.*



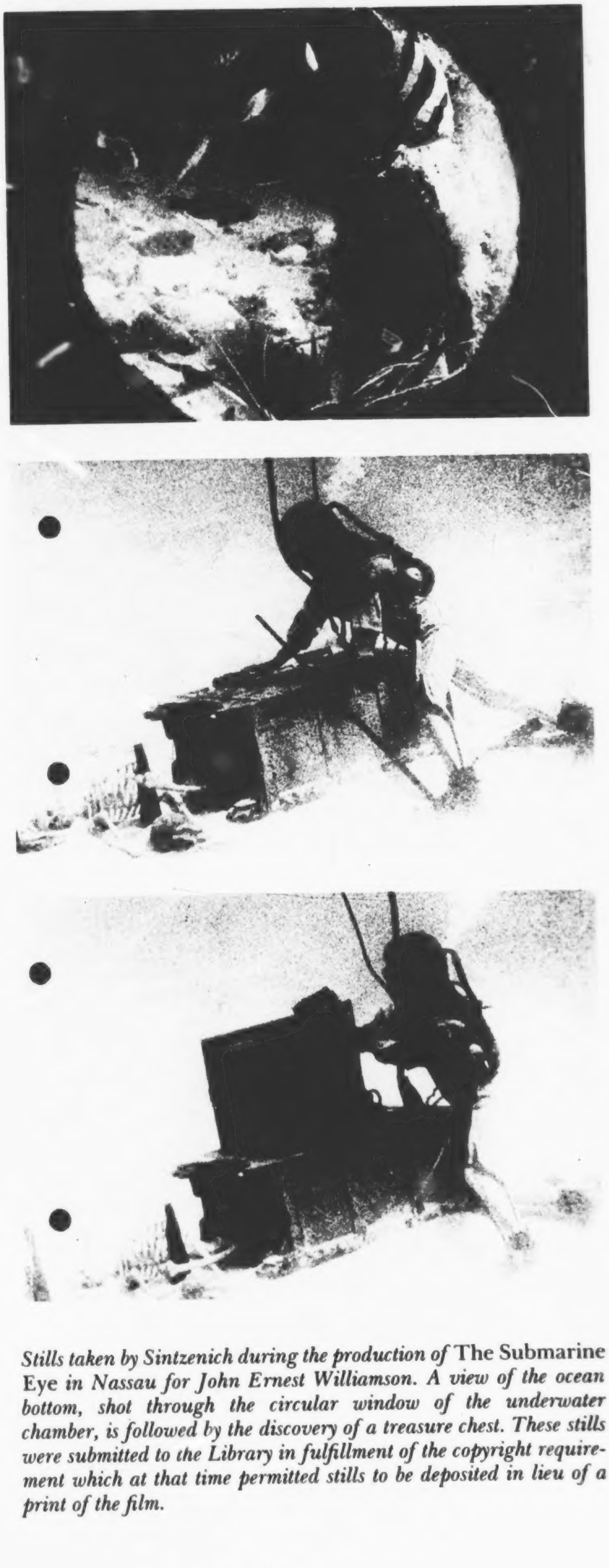
*The "photosphere" designed by John Ernest Williamson.*

of the speed with which short features are thrown together. In mid-September he begins work on *Blood Heritage,* directed by a Mr. Shaw, starring a Miss Gray. In mid-October he begins another film for Mr. Shaw in a new studio at Fort Lee, again with Miss Gray. On November 1 he begins a third film, *A Social Butterfly,* and records doing thirty scenes in a day. This work is interspersed with newsreel assignments, and an offer from representatives of Henry Ford to serve as cameraman on the Peace Ship about to sail for Europe—an offer canceled by Ford when he learns that Sintzenich is a British citizen. (11/2/15)

His notes on *Angel in the Attic,* starring Florence Lawrence, provide a revealing insight into studio production: "Everything ready for an early start with Miss Lawrence in a picture titled *The Angel in the Attic*. The set was up & I had apparatus all ready, but Miss L. on arriving about 11 a.m. on reading the story refused to play the part, so nothing was done." (2/26/16) Two days later he notes that Mr. Kelley, the director assigned to the film, "did not put in an appearance today as he was home writing a script for Miss Lawrence." (2/28/16) Two days later they are in production with the new script, although Florence Lawrence again proves "very difficult to handle." (3/1/16)[6]

During these months Snitch works long hours daily, including Sundays. It has enabled him to cable money to Maimie in answer to her desperate pleas, but he is approaching exhaustion. On March 11, again summoned for Sunday work, he objects and is at once fired by Universal. He dares not tell Maimie. Mr. Kelley, his most recent director, sends him $100 to tide him over. As with previous disasters, the crisis brings an important new opportunity.

John Ernest Williamson, a Scots immigrant descended from a line of seafaring Scotsmen, wants to reveal the wonders of the deep via underwater cinematography. In Nassau, Bahamas, he has constructed a "Williamson submarine"—actually, a windowed chamber reached through a long pipe projecting downward from a surface vessel. Photographic tests have been made from the chamber by his associate Carl L. Gregory. Encouraged by their success, Williamson decides to exploit the device via a fiction film, comes to New York for a cinematographer, and hires Sintzenich. A diary entry (4/11/16) records that Snitch is to leave for Nassau within three days. By the end of the month he is making descents into the underwater chamber and filming a "panorama of the ocean bottom" through its circular window, four feet in diameter. On shore he constructs a dark room and develops the tests. Within days they are shooting their feature, which involves underwater struggles over a treasure chest. "Scenes of Gardner & Barringer under water . . . B finds it and G comes over and they fight for it, G cutting what he thought to be B's air pipe, which was his own & falls over dead." Later Snitch gets "shark pictures—which turned out A-1." He prepares the underwater footage



*Stills taken by Sintzenich during the production of* The Submarine Eye *in Nassau for John Ernest Williamson. A view of the ocean bottom, shot through the circular window of the underwater chamber, is followed by the discovery of a treasure chest. These stills were submitted to the Library in fulfillment of the copyright requirement which at that time permitted stills to be deposited in lieu of a print of the film.*

# The Quarterly Journal OF THE LIBRARY OF CONGRESS

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more completely than live-action films, the work of one author. For an animator creates his own actors, props, scenery, and special effects. And some animated films are, indeed, the work of one author. Such early animators as James Stuart Blackton, Emile Cohl, and Winsor McCay[1] had no production staff. For the most part, they made all their own drawings. By the 1920s, Fernand Léger, Hans Richter, and Oskar Fischinger, among other artists, became interested in film and, similarly, created their own work. Even such feature-length narrative films as Lotte Reiniger's *Die Abenteuer des Prinz Achmed* (1924–26), with its delicate and dramatic silhouettes animated by stop-frame cinematography of articulated two-dimensional puppets, are fully realized personal creations. Today, Norman McLaren[2] continues to make films that are entirely his, including the hand-drawn optical sound tracks.

But, even before sound films, increasingly ambitious animation projects called for production staffs. And with the arrival of sound—which many have cited as the critical element that made animated cartoons popular—the production staff had to include composers and musicians. It is their contribution to the collaborative animated film that we will discuss.

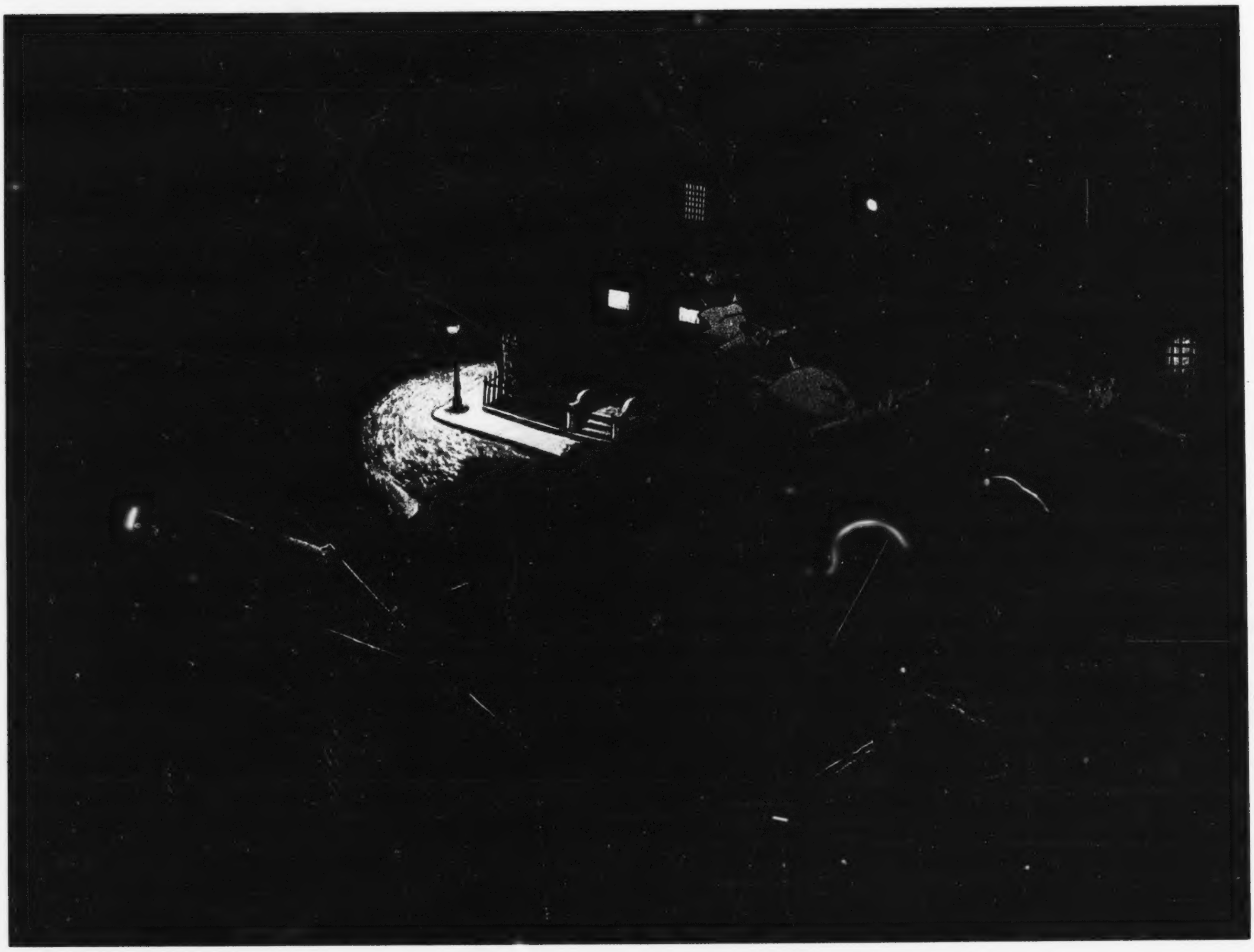
### Coordinating an Animated Scene: Disney's "Flight to Neverland"

The differing techniques of producing an animated, as opposed to a live-action film call for correspondingly different working relationships between directors and composers—not to mention the many others whose special skills contribute to the art of animation. This is true because of the relatively complex microcosmic planning required for animated films, for which the sight and sound elements of each frame must be accounted before filming. Such planning differs from the broader, and frame-for-frame economically more relaxed, approach taken in films employing live actors. For one thing, the animation director conceives his film knowing that he must control its contents and timing in increments of one twenty-fourth of a second, the time it takes each frame to pass through the projector. Moreover, an animated figure, be it a flying elephant or a mynah bird walking in time to Mendelssohn's *Fingal's Cave Overture,* while it is one of the unpaid stars of the movies, nevertheless comes at a high price per frame. On the other hand, film actors have contracts that have little or nothing to do with numbers of exposures, feet, or miles of film. In live-action films, perhaps one-tenth of the film exposed is used in the final print and, even after the composer's carefully synchronized work has been recorded and dubbed on the sound track, large cuts may be made. Then, at best, the composer may have the chance to recompose, rearrange, and rerecord his score to fit the new editing. At worst, his score may be mangled or discarded. But such cutting and editing are rarely done in animated films. And in some cases, though by no means as a rule, the composer's score, together with voices and sound effects, may be recorded *before* the film has been animated.

Let us take one such example, a scene from Walt Disney's 1953 version of J. M. Barrie's 1904 play *Peter Pan.*[3] Early in the story, the Darling family children are admonished by their father for their preoccupation with the fantasies of the oldest sister Wendy. They believe in Peter Pan, the boy who ran away to Never-Never-Land where he will never grow up; and Wendy has captured Peter's shadow. Wendy and the nurse-dog, Nana, are sent out of the nursery and Mr. and Mrs. Darling leave for the evening. It is a moonlit night, and now Peter, who has been waiting on the rooftop, returns for his shadow and, it turns out, to take Wendy and her brothers, Michael and John, with him to Never-Never-Land (along with his jealous and diminutive-but-shapely consort Tinker Bell). In order to get there, "the second star to the right and straight on till morning," the children must learn to fly; and this provides an opportunity for one of Disney's musically and visually finest moments. The film's score by Oliver Wallace incorporates a few of his songs. The choral arrangements are by Jud Conlon, and the orchestration is by Edward Plumb. For this scene, songwriters Sammy Cahn and Sammy Fain wrote "You Can Fly!" The final musical sound track—foreground and background—is the collaborative work of all these musicians and many others besides.

What the viewer sees and hears in the roughly three minutes of the finished sequence required the coordinated decisions and skills of many people, including the writers and the actors who recorded the script; the sound effects department; the composers and arrangers who provided just the right amount as well as the right kind of music required to accompany the action; the singers and orchestra musicians who recorded the music; the animators who, with fully developed character models before them, drew them in action to synchronize with prerecorded voices, songs, instrumental music, sound effects, and preestablished actions; the inkers and color artists who traced and colored the animators' drawings on the transparent "cels" that are used in final frame-by-frame photography; the background artists who painted whatever stationary scenery was required for the animated figures; and the cameraman who made the fin-

*The flight to Never-Never-Land in Walt Disney's 1953 animated feature version of Sir James Barrie's play* Peter Pan *shows Peter with Wendy, Michael, and John Darling flying higher and higher above the rooftops and rising through and above the clouds. Four layers of artwork were filmed with Disney's famous multiplane camera to create the illusion of increasing distance between the flying children, the receding background, and the passing clouds. Copyright © 1952 Walt Disney Productions. World Rights Reserved.*



in August 1942, three months after his early death at forty.

Disney's first feature, *Snow White and the Seven Dwarfs,* was financially as well as artistically a success. But *Pinocchio,* more elaborate and expensive to produce, was still in the red when he premiered *Fantasia* in November of 1940. This enormous production, fated for even more belated acceptance and financial returns than *Pinocchio,* had been conceived as a relatively small musical vehicle which would revive the faltering popularity of Mickey Mouse, the animated creation to which Disney was most closely attached. Leopold Stokowski, the musical force that inspired the ultimately lavish project, was in Hollywood in 1938 when Disney was worrying about Mickey's future. Stokowski recalls meeting Disney unexpectedly in a restaurant and conversing as follows:

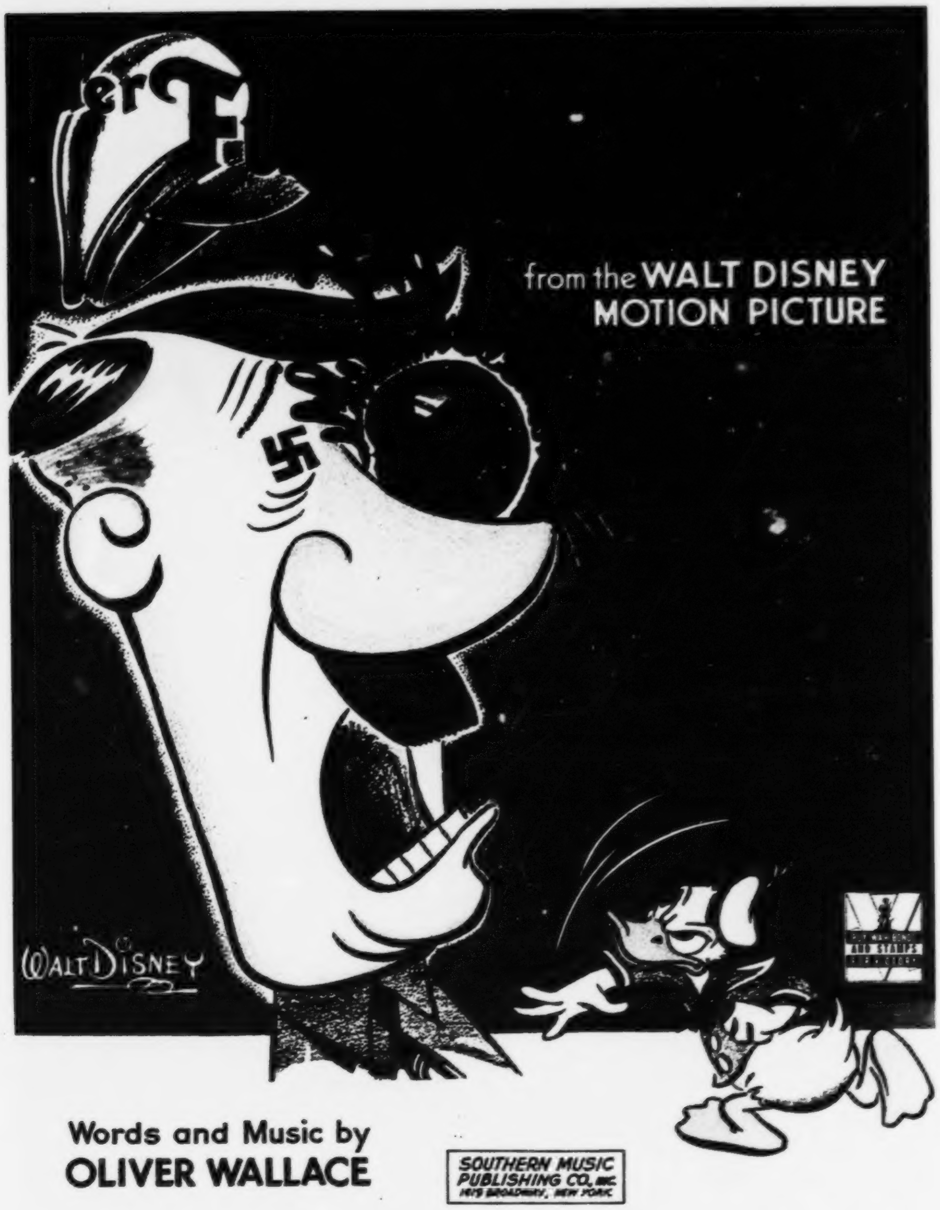
> He told me of a French composition about a kind of a great magician and a bad boy. He liked that music very much and so we discussed it. . . . He said "You know—how would you like the idea of making a picture of that? I have some thoughts of how that magician looked and how the bad boy looked and it is very picturesque, brilliant music." So gradually we decided to do it and it was completed. Then we looked at it together when it was all finished and Disney said "You know I think that we should add that to some other things and make a long picture of regular length."[43]

The "picture of regular length" turned out to be exactly two hours long, included eight pieces of arranged concert music, and made the first commercial use in film of a multichannel recording and playback system called "Fantasound." Four sound channels were dubbed on a film to be run separately and synchronously with the picture. The system required the installation of special sound systems in theaters, which cost $100,000 for the New York Colony Theater where the system remained for the duration of the one-year showing, and $30,000 each for twelve other more portable units.[44] Stokowski, who had made the first (noncommercial) stereophonic recordings for Bell Laboratories in 1931, was an ideal choice for such an experiment since, apart from being a great musician, he had an unusually keen interest in new developments in sound recording. He made good use of the possibilities that separate channel recording afforded, including the balancing of some passages in the selections used from Stravinsky's *Rite of Spring* so that normally inaudible details of orchestration could be heard. The music would have to be prerecorded, and following the animated action plan would require extensive rearrangement as well as Stokowski's customary reorchestrations. Highly regarded today, *Fantasia* met with lukewarm popular response, as well as some critical hostility, even from Disney's staunchest champions. Otis Ferguson, who in reviewing *Snow White* had said that "it is among the genuine artistic achievements of this country"[45] and who had praised *Pinocchio*'s "high sense of color and the unsurpassed design and synchronization of sound [that] brings the cartoon to a level of perfection that the word cartoon will not cover,"[46] wrote of *Fantasia:*

> In a general or show-business way, I think Mr. Walt Disney has made his first mistake. Someone told him about the capital letter in Music, or more specifically someone introduced him to Dr. Leopold Stokowski. This is a wrong-foot start for describing *Fantasia*, which I intend to review here, but I do wish that people who are simply swell in their own right would stop discovering about art and stuff and going swish. First Chaplin learns about the class struggle; now Disney meets the Performing Pole. And it's worse in Disney's case, because his studio has always turned out the most original sound-track in films.[47]

With two major films in major financial trouble, an outstanding bank loan of four and one-half million dollars, and a third elaborate production, *Bambi,* still in the works, Disney took a practical turn. At his brother Roy's suggestion, he reluctantly issued stock, which brought fiscal security; and he began another feature, *Dumbo,* on a tight budget and production schedule that, among other things, called for no multiplane animation. It was released in October 1941, before *Bambi* and before the U.S. Armed Forces were to take over his studios for training and propanganda film production. *Dumbo* was a success. The unhappy Otis Ferguson, among others, was appeased:

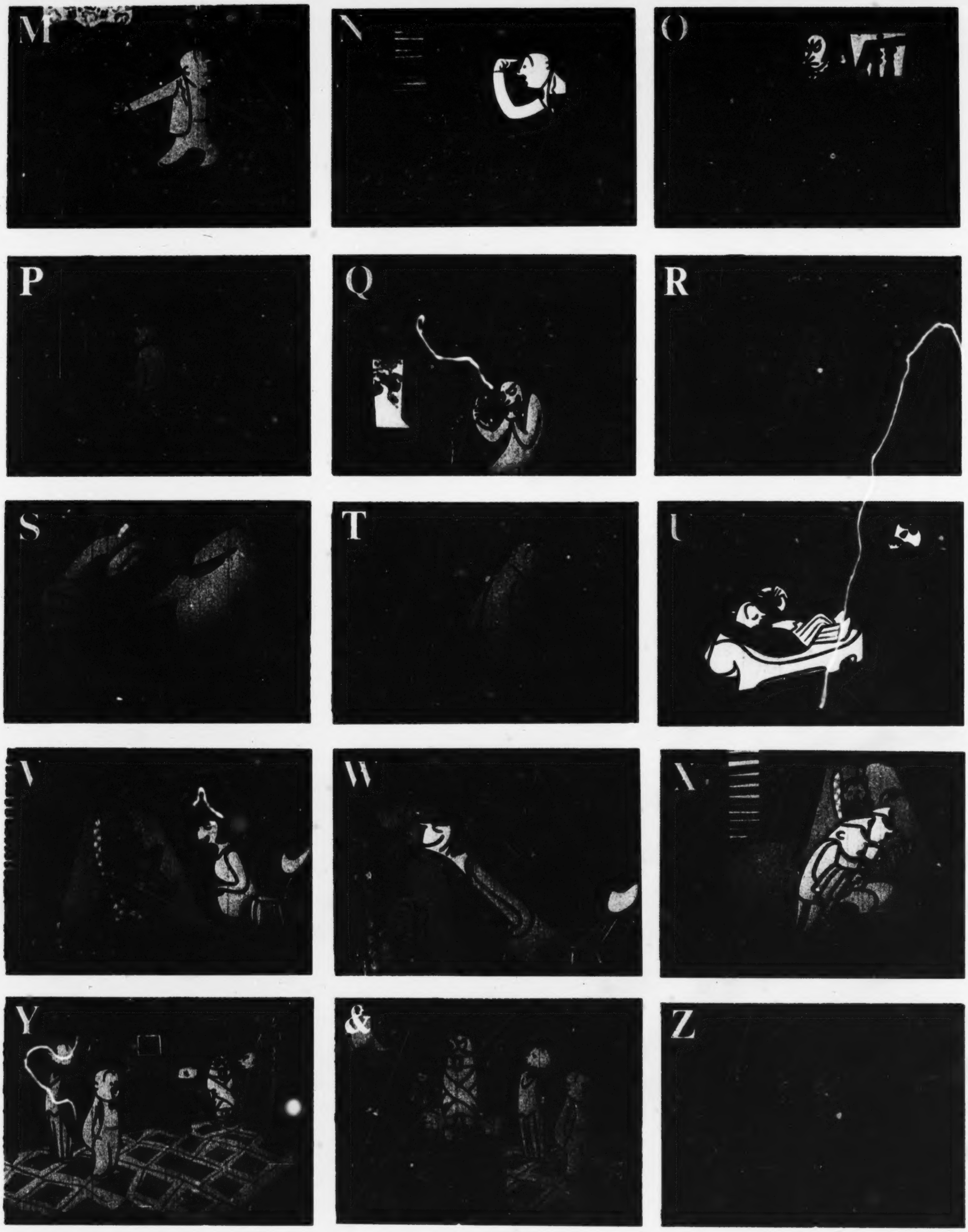
> Every time you think the Disney Studio can't do any more because they have done everything, they turn around and do it again, the new and never dreamed of, the thing lovely and touching and gay. . . . I say that nothing, not even *Alice in Wonderland,* has turned nonsense into such strictly sensible beauty as the sequence of the pink-elephant dance; I have never seen anything to approach it and neither have you, because there hasn't been anything. . . . *Dumbo* ends in almost a blaze of music and the chances are you will come away from it singing with the crow choir: "I done been seen 'bout most everything." And that sums it up: you have done been—until next time.[48]



*Oliver Wallace composed "Der Fuehrer's Face" for a Donald Duck short of the same title. (At one time it was to be called* Donald Duck in Nutsy Land.) *Published in 1942, the same year the film was released, when Disney was making World War II training and propaganda films for the U.S. Armed Forces, it is viewed by some with embarrassment over the seemingly naive and inappropriate reduction to slapstick humor of a subject too terrible to make fun of. The song proved an invaluable vehicle for launching the career of Spike Jones, who recorded it. The film won the 1942 Academy Award for best short-subject cartoon. Copyright © 1942 Walt Disney Productions. World Rights Reserved.*

The music for *Dumbo,* including the famous "Pink Elephants on Parade" number—that surreal sequence in which we see and hear what Dumbo hallucinates after accidentally getting drunk on champagne—was the work of Oliver Wallace, with assistance from Frank Churchill. The 1941 Academy Award for "scoring of a musical picture" went to *Dumbo.*

Wallace, who had been composing in Hollywood since 1930, worked for Disney from 1936 until he died in 1963. Born in London in 1887, he had appeared as a theater organist for silent films in Seattle as early as 1910.[49] Perhaps his most famous song was "Der Fuehrer's Face," made for the Academy Award-winning Donald Duck short of the same title in 1942 and introduced on a commercial recording by Spike Jones and His City Slickers.[50] Wallace had a flair for the zanier aspects of musical characterization called for by Disney, and he was accordingly put to work on many Donald Duck shorts. But Ross Care has suggested that his talents "were perhaps never employed as cannily as they might have been."[51] Disney, it has often been noted, tended to typecast members of his animation staff, especially when one was particularly strong in one kind of work, and this approach, successful as it was, may, if it was carried over into his music department, have been responsible for limiting Wallace's opportunities.



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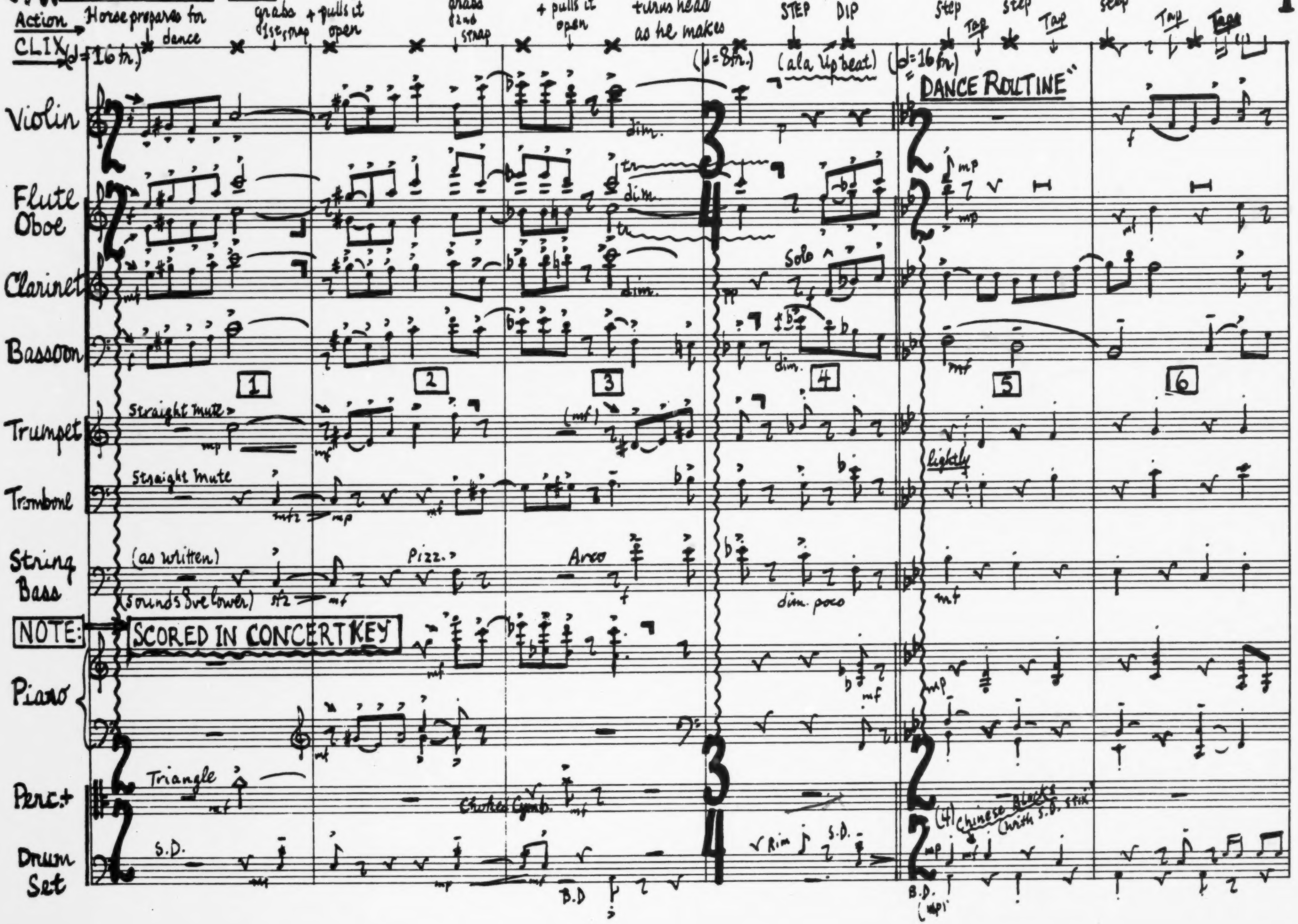

# The Sintzenich Diaries

### by Erik Barnouw

Arthur H. C. "Hal" Sintzenich—better known in the film industry as "Snitch"—became a motion picture cameraman in 1909 and remained active for over half a century. Early in December 1912 his wife gave him a large 1913 diary, the first of sixty-one such diaries, in which he proceeded to record painstakingly periods of work, layoffs, triumphs, frustrations, earnings. He tells us precisely at what time he reported for duty each day, what time the shooting stopped, how many scenes were shot, who directed, what actors appeared—and often, who said what to whom. The diaries, which comprise a who's who of the film world during its formative years, have recently been donated to the Library of Congress by his son Cedric H. Sintzenich and are housed in the Manuscript Division.

For "Snitch"—he encouraged the use of this name, as it made things easier—the high point of his career was unquestionably his work with D. W. Griffith, whom he served as cameraman on five films during the years 1923 to 1926. Rich in informative detail, the diaries for these years will especially interest students of the silent era and of the work of Griffith. But the diaries throw light on many other chapters of film history. Sintzenich's first job was in England with Kinemacolor, the first successful color system, introduced in 1908; Snitch traveled far and wide as a Kinemacolor cameraman. He then

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After graduating from Princeton, Professor Barnouw studied under Max Reinhardt at the University of Vienna before entering radio in 1931. He directed programs for various advertising agencies before joining the Columbia Broadcasting System as writer and editor from 1939 to 1940. He was Editor, Script Division, National Broadcasting Company from 1942 to 1944, and Supervisor, Education Unit, Armed Forces Radio Service, United States War Department from 1944 to 1945.

For television, Professor Barnouw produced and wrote *Decision: The Constitution in Action,* a series of seven films which received the 1959 Gavel Award of the American Bar Association as well as the Sylvania Television Award. He was the producer of *Freedom to Read,* the Columbia University bicentennial film, a 1954 Edinburgh Film Festival selection; and of *Hiroshima-Nagasaki, August 1945,* a 1970 Atlanta Film Festival award winner, broadcast over the public television system on the twenty-fifth anniversary of the bomb. He is the author of *Indian Film,* in collaboration with S. Krishnaswamy of Madras, which they have revised recently. His three-volume *History of Broadcasting in the United States* won the George Polk Award, the Frank Luther Mott journalism award, and the Bancroft Prize in American History. In 1974 he published *Documentary: A History of the Non-Fiction Film;* in 1975, *Tube of Plenty: The Evolution of American Television;* and in 1978, *The Sponsor: Notes on a Modern Potentate.*

spent eighteen months as a safari cameraman in Africa, where he managed to film a charging lion and was glad to escape with his life. In New York during World War I he became a Universal newsreel cameraman, covering the standard gamut of early newsreel assignments. He became involved in the first successful venture in underwater cinematography, which later led to work with Houdini, but he meanwhile entered the U.S. Signal Corps and was responsible for training army cameramen for World War I. After the war he worked on several films at Fort Lee studios and other studios in the New York area, photographing one of the most famous tearjerkers of the silent period, *Over the Hill to the Poor House*—said to have been William Fox's favorite among all Fox films.[1] All this finally led to the work with Griffith and later assignments in Hollywood, India, the Soviet Union, and elsewhere.

Sintzenich was no literary stylist; his mind was technical. His observations often seem naive. It is the precision of his jottings that give the diaries their value. Production procedures are often noted. There are comments on various directors and on the work of other cameramen. Disagreements about lighting are often mentioned. There is much financial information. We gather that early cameramen were paid for days of shooting but laid off during idle intervals. Snitch, pressing for such things as a duration-of-production contract, became involved in early abortive efforts to form a cameramen's union. Film companies, including the Griffith company, were often far in arrears in salary payments. On the final pages of each year's diary Snitch notes his earnings week by week, clearly revealing his periods of economic agony.

Although the diaries are largely a record of professional activities, a fascinating human

*Arthur H. C. Sintzenich with his camera.*

for tinting, sails for New York, returns to Nassau for additional footage, cables money to Maimie—who is "penniless"—and under great pressure starts editing the film, now entitled *The Submarine Eye.* He finally returns to New York on the *Morro Castle,* gets an offer from Vitagraph to go to Alaska, but turns it down. Euphoria surrounds the submarine project. He writes reassuringly to Maimie, "enclosing the comic section of the Sunday *American* for the children." (3/10/17) He begins running the film—nine reels long—for prospective buyers; works on titles for a Spanish version; runs the film "for the musicians." (4/2/17) On May 27 *The Submarine Eye* opens in New York at the Liberty Theatre and scores a triumph. The theater is packed for weeks, according to *The Moving Picture World.* The underwater shots win loud plaudits, and "the suspense is all that could be asked."[7]

Williamson and his brother are "independents" with no distribution setup, which means that success depends on selling "state rights" and other regional rights to various distributors. The New York premiere apparently brings a rush of such sales, and Snitch is kept busy preparing and sending out prints—to Minneapolis, Atlanta, Philadelphia, Pittsburgh; then to London, South Africa, and elsewhere.

Snitch's 1917 diary shows that he is usually getting only forty dollars a week when working, but he is surrounded by signs of rising fortune. In the midst of work on *The Submarine Eye* his lawsuit against Lady Grace Mackenzie comes up in City Court and is unopposed; Snitch gets a judgment for "$1909 & costs." (5/10/17) He still has the problem of collecting, but we learn that Lady Mac has married a Mr. Frisbee, a Buffalo businessman who seems determined to end the feud. Frisbee offers Snitch $300 in cash, which Snitch accepts. (5/16/17) The settlement brings a complete change of atmosphere. Snitch gets a call from Lady Mac and has tea with the newlyweds at the Astor. Mr. Frisbee engages Snitch for further editing of the African footage, to create a new feature film. They are all suddenly very friendly. Snitch accompanies Mr. Frisbee to Gimbels to look for a suit for Mr. Frisbee, but they do not find what he wants. Meanwhile the magician Harry Houdini gets in touch with Snitch and hires him to film various Houdini appearances including underwater escape acts performed at Westport, Connecticut, and Atlantic City, New Jersey, and a straitjacket escape performed while hanging upside down over a Times Square crowd. For months Snitch and Williamson are in constant touch with Houdini.[8] Beginning to feel secure and even flush, Snitch makes some purchases of his own: "purchased a silk hat and straw hat." (6/14/17) "Purchased waist-coats, also to Whitehouse and Hardy for some shoes." (6/15/17) *Scientific American* interviews him about underwater cinematography.

In the midst of this rising good fortune, Snitch receives one of the most severe jolts of his career. He gets a series of letters from Archie, the brother who loaned him money to pursue Lady Mac to New York. Archie has been accused of making the loan to help Snitch escape military service in Britain and has been told that he himself will have to do military service unless Snitch returns to perform his duty. (3/17/17) Archie, like Snitch, has dependents and is appealing the case. Snitch reassures Archie that he will not leave him in the lurch, but both wait with apprehension. In November Archie reports a new turn. The authorities now feel that if Snitch enlists in the United States—by now allied with Britain in the war—the case against Archie may be dropped.[9] Archie cables: "WILL CARRY WEIGHT IN APPEAL IF OFFICIALLY CABLED JOINED UP." (11/24/17) Snitch acts swiftly. Within days he is in Washington visiting the Signal Corps; early in December, at the urging of Signal Corps personnel, he takes out first papers at the U.S. Supreme Court. On the day after Christmas he enters the Signal Corps as master signal electrician. Within days he is back in New York with official orders to organize a School of Military Cinematography at Columbia University. The university offers space in the basement of Philosophy Hall for a "Cine Lab" (1/11/18) but Snitch rejects it because of steam pipes.[10] He eventually gets space in Havemeyer Hall. Space for barracks is earmarked on the grounds of the Cathedral of St. John the Divine. By the end of January Snitch has outlined a curriculum, made estimates for equipment purchases, interviewed candidates for the school, and begun lectures on photography. (1/24/18) A "new reflex camera . . . entirely new novel & advanced departure," rouses his excitement. (1/25/18) Victor Fleming, known to Snitch as cameraman for Douglas Fairbanks[11] and "an awfully good fellow," joins the teaching staff and becomes head of the unit. (2/16/18) Soon both achieve the rank of second lieutenant. Between lectures and workshops the men drill and do semaphore practice on the football field at 116th Street. They meet "Ladies from Barnard College."

We learn that Maimie is having "a rotten time . . . through money troubles." (5/3/18) Snitch manages to cable her seventy-five dollars. He himself falls ill and is rushed to a hospital—"coughed my heart out"—but is soon back in action. He selects eight men for immediate overseas duty.

In May a new development changes Snitch's life. "Capt. Sears called me in his office, told me Congress had passed a bill whereby all friendly aliens in the Army can become Citizens immediately." (5/18/18) Six men in the film unit—Bove, Dadetto, Lipsgar, Milstine, Murray, and Sintzenich—are taken to City Hall and come back American citizens. In June the men are all taken to the Lyric Theatre to see the official U.S. war film *Pershing's Crusaders*—which Snitch finds "very rotten." (6/11/18) Meanwhile the war is moving to a climax and in August Snitch and others board the *S. S. Leviathan* (formerly the German *Vaterland*) at Hoboken and are off for Europe with 1,300 troops and a crew of 2,000. They land in France.

It is not clear what expectations Snitch has had for overseas activity. If he expected combat photography, he is soon disillusioned. He spends weeks making "identification photos" of soldiers and "desk photos" of officers. Then, to his surprise, he is suddenly ordered to London, apparently for similar duty. He docks in Southampton and phones Maimie; getting no answer, he boards a train for London. "Arrived home at 8:30 to a very surprised little family who had no idea I was in England." (9/30/18) A few days later he is again making "desk portraits" of officers and also documenting activities at U.S. camps, airfields, and hospitals in Britain. He also renews contact with Charles Urban and other Kinemacolor alumni. Then suddenly the war is over. London goes wild. Ten days later Snitch learns that he will be able to take Maimie and the children back to the United States.

But first there are more official duties. He is ordered to Dover to cover President Wilson's arrival for the peace conferences. He and Victor Fleming accompany the presidential train to London and shoot the arrival in Downing Street. Snitch is also ordered to prepare photographic equipment for a unit bound for Archangel to counter the Bolshevik revolution. He shoots more desk portraits, medal-pinning ceremonies, camps, and airfields and is promoted to first lieutenant.

When he comes down with the flu, "Maimie delights in rubbing me back & front with embrocation & dope & insists on dabbing me with cotton wool. Feel like a stuffed owl." In June the family finally boards the *S. S. Plattsburgh* at Liverpool. Maimie and the boys have a cabin but Snitch must bunk with the officers. "We were very disappointed . . . but it is a Navy rule." There are "beaucoup babies and beaucoup squalls." (6/4/19)

The Sintzeniches arrive in New York almost penniless. The next day Snitch is paid off and discharged, and they pay fifty dollars as the first month's rent on an apartment at 189 Claremont Avenue—near Snitch's old haunts at Columbia University and also a short walk to the Fort Lee ferry. Lady Mac promptly invites them all to dinner and they have a "very happy evening" with the Frisbees. Meanwhile Snitch is scurrying around film offices, trying to pick up where he left off. He learns that Williamson is in Nassau. He accepts a short assignment in Chicago, and while there gets a wire that Williamson wants him in Nassau. Snitch wires Williamson that he is available "for the duration of the picture at $125 per week." Williamson agrees to the terms.

At the time Snitch entered the Signal Corps, he had reason to believe he was moving toward the top of his profession. But to resume the rise was not easy. A cloud hung over the effort. Hollywood is seldom mentioned in the Sintzenich diaries of 1919 to 1922, although the westward tide was the root of his problems. It is as though he was reluctant to face the fact that he might now be in the wrong place.

On the other hand, he had reasons for staying. He had had success here, and enough activity remained to provide constant hope. And the Sintzeniches soon had other attachments to the area. They moved to Tenafly and then Englewood, both convenient to Fort Lee. Snitch ished film with the guidance of an exposure sheet containing instructions for shooting the backgrounds, cels, and visual effects which are achieved by moving the camera closer to, or farther away from the artwork for each exposure. A mistake on one exposure would throw the entire film out of synchronization with the sound track or result in other breakdowns in the coherence of the picture which would be costly to repair.

Moreover, for this scene in *Peter Pan,* Disney used his famous multiplane camera. It had been used first in the Academy Award-winning Silly Symphonies short *The Old Mill* (1937), then in portions of the feature *Snow White and the Seven Dwarfs* (1938), and even more extensively in *Pinocchio* (1940). Capable of creating the illusion of three-dimensional depth in an animated sequence, it allows superimposition at variable distances, under the camera lens and above the background, of a number of planes on which animated figures or additional scenery can be laid and filmed in optically realistic perspective. The use of this camera requires, of course, a correspondingly complex exposure sheet with instructions for changes on each layer.

In addition, the sound track—most particularly the musical score—required the combining, or dubbing, of numerous separate recorded cues as an examination of the conductor's score shows. Here is what happens.

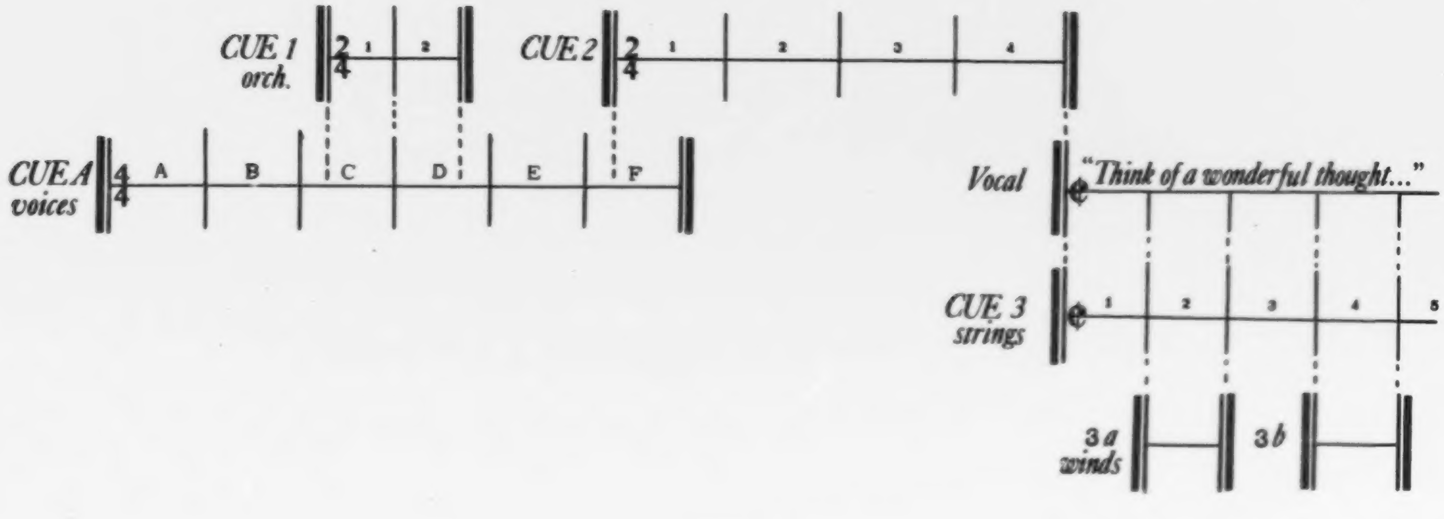
In this scene, Peter Pan instructs the children how to fly by speaking the words of the song "You Can Fly!" The children respond also by speaking, while the orchestra plays phrases from the tune, together with various instrumental effects (harp glissandi, string tremolos, and combinations of high flutes and celeste) that suggest their appropriately magical and buoyant mood. Then, as they begin to follow Peter over the rooftops of London, the chorus sings.

If the multiplane camera sounds complicated, look at the following schematic diagram showing the separate cues—individually recorded bits of music or takes—that are combined to make the composite music sound track. It consists of separately recorded segments that will result in a balanced sound, when mixed together with the other tracks in final dubbing. The example begins with the flight to Never-Never-Land. In the conductor's score, it is slated sequence 03.0.

Reading from the left, we have choral cue A, an atmospheric effect without words.

Next, we have orchestral cue 1, a two-measure rising arpeggio that begins on the second quarter of measure C of choral cue A. Then, orchestral cue 2, with more colorful wind arpeggios, resumes at the second quarter of cue A, measure F. Here the choral cue ends, and the orchestra continues alone up to the choral entrance of the tune, beginning with the words

*PETER PAN FLIGHT TO NEVERLAND*



"Think of a wonderful thought." At this point, cue 2 ends and cue 3, consisting of only strings, begins. This recorded cue must be synchronized to the prerecorded "vocal and guide track." Then, separately recorded for later dubbing, we have a series of short woodwind cues (3-A and 3-B). Though the diagram shows only two, there are five such short woodwind cues in this scene.

Why bother? Why not record everything at once? Later, when we discuss a disastrous recording session for Disney's first sound cartoon *Steamboat Willie,* the answer will become apparent.

But we have left Peter Pan and friends in midair. As they fly off to Never-Never-Land, the multiplane camera is used brilliantly. Following them from above, we view them over the clouds against the background of a nocturnal city seen from an increasingly vertiginous aerial perspective. Below, the clouds, on two separate layers, move at the different speeds appropriate to their relative altitudes. The children are on the top plane, closest to the camera.

Technically, this sequence is sufficiently complex in conception and production to illustrate the extent to which the most ambitious and successful artists of animation could and would go to create an exhilarating scene. Consider that, in order for it to work, there must be perfect coordination between a voice track, a sound effects track, and a multilayered music track, together with four multiplane animation levels. This scene required a time exposure of more than one minute for each frame because of the need to close down the lens aperture in order to achieve the maximum depth of field so that the widely spaced top plane (with Peter and the children) and the bottom plane (with the background) would both be in sharp focus.[4]

### Animated Cartoons Before Sound

How far this is from the early days of animation, when Winsor McCay, one of the finest draftsmen, animators, and imaginative geniuses of the comic strip, produced in 1907, with one assistant,[5] the drawings for an animated version of his "Little Nemo" comic strip, and later, in a one-man show, entertained audiences with his "Gertie, a Trained Dinosaur" (1912–14), in which he appeared on stage before his own animated creation, throwing food to her, giving her commands, and finally entering the screen himself by having Gertie pick up an animated picture of him in her jaws. For such a film, a sound track of any kind would have been unnecessary, even obtrusive. And while full, continuous orchestral accompaniment for dramatic films was obligatory in large theaters, the thought of such accompaniment for animated cartoons was precluded—at least for the time being.

For one thing, the animated cartoon was considered a novelty with no commercial potential. There were some interesting educational films.[6] But most cartoons were really advertisements. It is significant that McCay's first film, *Little Nemo,* was regarded principally as good promotion for his syndicated comic strip of the same name. And, in fact, early animated cartoons would never have been produced had they depended on profits from theatrical distribution. In an interview, animator Richard Huemer, who began his career in 1916, spoke of the post-World War I presound cartoons: "There was a time when they were given away with features. It was a package deal. You got a feature, you got a newsreel, you got some other strange thing, then you got a cartoon. If the exhibitor hated cartoons, he didn't run them. That's how interested they were."[7]

William Randolph Hearst, who owned King Features Syndicate, supported his International Studio in order to produce animated cartoons as advertising for his newspaper comics, among them, Barney Google, Happy Hooligan, Jerry on the Job, The Katzenjammer Kids, and Krazy Kat. These productions were given away to boost newspaper sales.[8]

And it was the small Kansas City Film Ad Company that made one-minute theatrical commercials, which provided training and experience for animators Ub (sometimes pronounced "Ubby," from his full name, "Ubbe") Iwerks, Disney's first collaborator and cocreator of Mickey Mouse; the team of Hugh Harman and Rudy Ising, producers of MGM's Happy Harmonies under the name Harman-Ising; and the brothers Roy and Walt Disney.[9]

What happened to change the status of animated cartoons from advertising gimmicks to profit-making films for theatrical distribution? Richard Huemer, in the same interview men-

The dramatic music for Disney's animated features remained at a high level—even when the music was not by a Disney composer. In his last major animated feature, *Sleeping Beauty,* conceived in 1950 and released in 1959 as Disney's ultimate and most expensive achievement in animation, George Bruns arranged Tchaikovsky's ballet score based on the story by Charles Perrault. For anyone who has never composed music, and for whom the whole process of composing seems utterly mystifying, the recourse to using, by skillful rearrangement, preexisting music, may seem an easy way out. That is not necessarily true. Indeed, unlike arranging the kind of music made for travelogues that has the consistency and spreadability of whipped margarine, the bending, the cutting, and welding of such cohesive stuff as a major work of Tchaikovsky's can be more difficult than starting from scratch. Wilfred Jackson understood the problem as well as any musician. Recalling Leigh Harline's arrangement of Rossini's *William Tell Overture* for *The Band Concert* (1935), a Silly Symphony that was Mickey Mouse's color debut, Jackson stated:

> Leigh composed the score for *The Band Concert* though I don't think he would have agreed with my putting it that way. As I remember it, our musicians spent more time and effort on patiently working and reworking their music to fit perfectly with what us crazy, dumb artists drew and dreamed up for the action, than they did writing whatever original music we needed for the cartoons. I do not recall specific instances of reshaping *The Band Concert*'s original music, but I would be very surprised if on close examination you did not find Rossini's original score bent a bit out of shape here and there. Our studio musicians were amazingly ingenious at altering the natural structure of their music to accommodate the requirements of the animation, without allowing the end result to sound as if the music had been overly tampered with.[52]

Bruns's reworking of the Tchaikovsky score is impressive, particularly in the terrifying scene in which the wicked Maleficent (Carabosse in Perrault's original), upon discovering the prince has escaped, goes into a literally depicted towering rage, sends a dark cloud to surround Aurora's castle, pursues the prince there, then changes herself into a fire-breathing dragon to battle Prince Philip (Desiré in Perrault). Bruns takes as his point of departure the music from scene 5 (Act 1), where the king, having banished all sharp objects from his kingdom since Carabosse's prophetic curse that his daughter would die by pricking her finger, learns on the very day four suitors for Aurora's hand will be arriving that a group of old women with spinning wheels has been discovered. Suspecting foul play on the part of the suitors, he goes into a rage; the music proves equally effective for both his and Maleficent's rage. Other effective musical scenes from the ballet interpolated into the Disney sequence are the portentous chords at the "death" of Aurora and the flight of the four princes after Carabosse vanishes before their drawn swords.

Disney's animators created, with the Bruns-Tchaikovsky score, a most explicitly violent "cartoon" sequence. Compared to it, Fritz Lang's depiction of Siegfried slaying his dragon seems like a vignette about the demise of a tube of tomato paste. However, Disney's dragon scene is not even as disturbing as the nonviolent but terrifying "Pleasure Island" transformation scene from *Pinocchio,* in which a bad boy's metamorphosis to a donkey, accompanied by the cries of the protesting victim which range from the voice of human confusion to the bray of an evolving animal, presents a vivid image of the horrors of ego loss. Transformation and identity are the subject of that fantastic film in which Disney creates a convincing drama of a puppet, on the way to becoming a real boy and bearing the stigmata of "Pleasure Island," who throws himself to the bottom of the sea in search of his toy-maker parent, Geppetto, who has been swallowed by a monstrous whale. There, too, violence of a most awesome kind is waiting and unleashed.

### Funny Music: The Violent Shorts

Disney's critics noted these violent and frightening episodes with serious interest and concern. But the moral purpose that the scenes so clearly exhibited mitigated against their condemnation. Indeed, it may have helped ensure approval while the generally not-frightening but gratuitous violence of the absurd cartoon comedies, exemplified by MGM's Tom and Jerry, was attacked. As John Culshaw wrote in 1951:

> The Tom and Jerry series is based entirely on the familiar cat-and-mouse chase, but with the difference that the chase is endless and pointless, like some trivial symbol of the perpetual and meaningless warfare that George Orwell envisaged in his "1984." There is no question of reconciliation, no hint of Donald Duck's all-pervading conscience. . . . I am not suggesting that these cartoons are anything less than hilariously funny: it is simply that our conception of what is funny, or what is admissible as funny, has undergone a

> radical change. Similarly, the Bugs Bunny character of the Warner cartoons is the animal embodiment of the spiv, a character recognizing no code of behaviour beyond the selfish and accepting values concerning the welfare of others. His actions are frequently deceitful, cowardly, malicious and violent beyond description, but he is invariably presented as a figure for sympathetic amusement; he is the modern hero.[53]

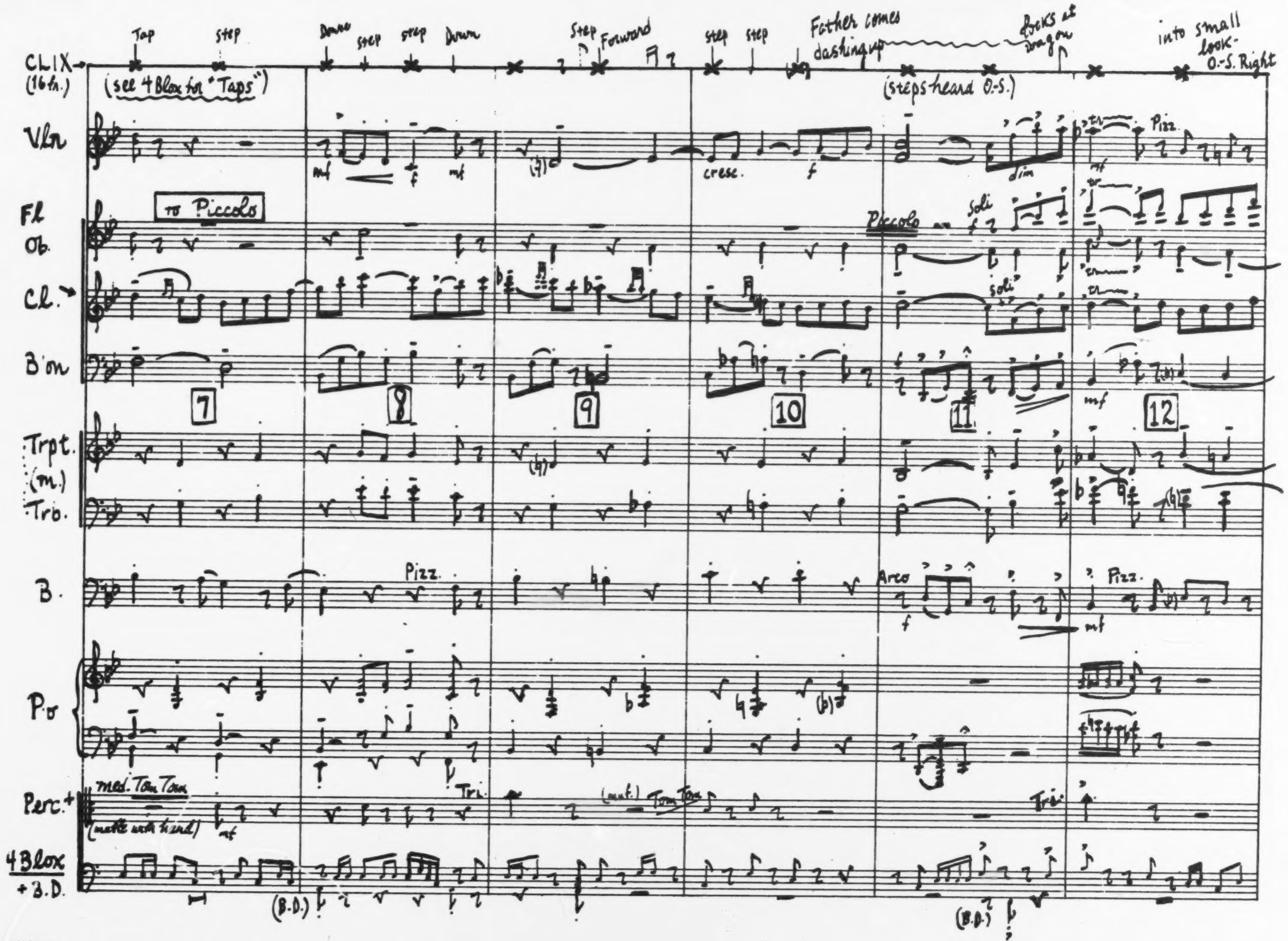
It is important to keep in mind some of the more thoughtful contemporary criticisms of the popular animated cartoons of Disney and others not only because those criticisms are historical documents in themselves but because they help place those cartoons in perspective. My particular interest in quoting Culshaw will become apparent at the conclusion of this essay when I discuss the brief halcyon days of UPA (United Productions of America), whose films, even as Culshaw was writing, were being produced at least partly in reaction to the cartoon fare of Warner Brothers and Metro-Goldwyn-Mayer. Although UPA produced *Gerald McBoing Boing* (1950) and *Giddyap* (1950) mainly for children, the studio also wanted to satisfy the grownups' taste for something more palatable—and less nerve-racking—than the frantically paced major league competition. The UPA studio also made the lyrical and appealing *Madeline* (1952), a picture for all ages, and a most successful animated version of James Thurber's *Unicorn in the Garden* (1953), really a sardonic adult film which at least a few children I know find entertaining. As one might expect, the musical treatment of these pictures was not conceived according to existing patterns and tended to be quite different from film to film.

This is not to disparage the music composed for the more standard fare. Indeed, an examination of some vintage Tom and Jerrys will give us the opportunity of acquainting, or reacquainting the reader with some of the best animation and music for animated shorts whose technical quality was equal to Disney's best.

Scott Bradley[54] was the eclectic composer who, by his masterful combination of styles and techniques—ranging from Franz Liszt's or Richard Strauss's bombastic best and pungent Stravinskian tritonic and polytonic harmonies à la *Petrouchka* to some straight swing band riffs of which Count Basie might have been proud—managed to follow Tom and Jerry throughout the height of their career. He really created a "funny music" style of his own. As he characterized his composing:

> It seemed to me that almost anybody could collect a lot of nursery jingles and fast moving tunes, throw them together along with slide whistles and various noise makers and call that a cartoon score, but that didn't satisfy me and, I felt sure, wouldn't really satisfy the public. So I set about to work out musical scores that would add significance to the picture, that would be musically sound and would be entertaining.[55]
>
> But what is "funny music?" It may be funny because of funny circumstances surrounding it.
>
> Music may be funny because it distorts a familiar phrase, such as Gracie Allen's "Concerto for Index Finger." You remember how she played the C-major scale, but always missed the top note and played C#? My own method, if you could call it such, is in trying to maintain a continuous melodic line, and follow the action with new harmonization and orchestration of conventional patterns. This sometimes leads to very harsh dissonances, but remember, we are trying to make it funny. . . .
>
> I would like to tell you about a problem which I ran into recently in one of our "Tom & Jerry" cartoons. A little mouse was running around with the mask of a dog over his head—you saw only the little fellow's feet carrying this big head, and it looked very grotesque and funny, but I was stuck for a new way of describing the action musically, and for a whole day I worried about a two-measure phrase. Everything I tried seemed weak and common. Finally, I tried the twelve-tone scale [i.e., a row], and *there it was*! This scene was repeated five times within the next fifty seconds and I had only to use my scale—played by the piccolo, oboe and bassoon in unison. I hope Dr. Schoenberg will forgive me for using *his system* to produce funny music, but even the boys in the orchestra laughed when we were recording it.[56]

In an article on Bradley, composer Ingolf Dahl makes a particularly important point about instrumentation in characterization. He speaks of "the marionette quality of the characters and their action [that] finds expression through the comparably 'impersonalized' wind instruments."[57] Thus, he implicitly cites the bowed stringed instruments—traditionally associated with the realm of the sentimental but also fine for certain atmospheric effects—as being generally inappropriate for the accompaniment of funny little cartoon characters. This idea, in its application to both woodwinds and strings, can be illustrated by an excerpt from Bradley's score for a Tom and Jerry film, *The Two Mouseketeers* (1951). It was MGM's seventh Academy Award-winning short and it maintained a consistent sense of plot, atmosphere, and style unusual for the "one gag every ten seconds" cartoon. It was a seventeenth-century French swashbuckling satire. In it, Tom is instructed to protect a fully set banquet table from the Two Mouseketeers: Jerry and a smaller sidekick, a



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## Unicorn in the Garden

*The action here is broken down according to the composer's score, not the animators' work sheets. Each part has a different basic metronomic beat. It is the lowest common denominator with which the composer can work when writing music to a rigid, predetermined tempo or beat. This beat is created by punching the sound portion of a work print of the film at regular intervals, expressed in terms of frames (and, as in Part 3, sprockets). When recording, the composer, and possibly the performers, use earphones over which they can hear the "clik" (plural "clix"). Sections which have differing clik tempos are recorded as separate takes and then are joined by the music editor so that the music on the sound track will be continuous.*

*Approximate timings appear at the left. The letters refer to the color frame enlargements which correspond most closely to the action described.*

### Part 1: "Introduction" (16 frame clix)

| | | |
|---|---|---|
| 0:00 | | TITLES: |
| 0:02 | | "Columbia Pictures Present a U.P.A. Cartoon" |
| 0:10 | | "A Fable of Our Time" |
| 0:14 | | "By James Thurber" |
| 0:18 | | "The Unicorn in the Garden" |
| 0:23 | | start CREDITS |
| 0:41 | | fade out CREDITS, cloud, and man, but hold night sky |
| 0:45 | | dissolve to garden with bird flying in crazy figure 8s |
| | | dissolve to morning (bird yapping), and |
| 0:46 | | TITLE: "Once upon a sunny morning" |
| 0:51 | A | dissolve from TITLE to garden |
| 0:54 | | dissolve to breakfast nook |
| 0:56 | | pan to kitchen (kitchen noises) |
| 0:58 | | end pan: MAN at ice box |
| 1:11 | | drops egg |
| 1:13 | | WIFE: "What's going on down there?" |
| | | MAN reacts, puts down pots and pans, |
| 1:17 | B | wipes up egg |
| | | MAN: "Nothing, dear." stirs in pan |
| 1:24 | | dissolve to MAN at table grinding peppermill |

### Part 2: "The Discovery" (24 frames)

| | | |
|---|---|---|
| 1:28 | | UNICORN starts forward, |
| 1:30 | | stops and bites flower |
| 1:34 | C | MAN stops grinding |
| 1:36 | | track to UNICORN |
| 1:50 | D | MAN taps horn, dashes out |

### Part 3: "There's a Unicorn" (10 frames, 2 sprockets)

| | | |
|---|---|---|
| 1:51 | | MAN runs into house |
| 1:54 | | looks back |
| 1:55 | E | runs again |
| 1:59 | | enters bedroom, venetian blinds up |
| 2:00 | | garden color floods in |
| 2:02 | | MAN shakes WIFE |
| | | MAN draws back |
| 2:04 | | WIFE: "Go away!" |
| | | MAN holds, then leans down |
| 2:07 | | MAN: "There's a unicorn in the garden." |
| | | WIFE moves up, MAN draws back |
| 2:10 | | MAN: "Eating roses." |
| 2:12 | F | WIFE looks at him, narrows eyes |
| 2:15 | | WIFE: "The unicorn is a mythical beast." |
| 2:21 | | MAN turns and walks away |
| 2:23 | | pulls blinds, room grows dark |
| 2:27 | | dissolve to MAN walking downstairs |

### Part 4: "The Unicorn" (24 frames)

| | | |
|---|---|---|
| 2:37 | G | MAN in garden |
| 3:00 | H | MAN: "Here, unicorn." holds up lily |
| | I | UNICORN eats lily |

### Part 5: "It's True" (11 frames)

| | | |
|---|---|---|
| 3:08 | | MAN runs out of garden |
| 3:10 | | into house |
| 3:11 | J | upstairs |
| 3:12 | | into bedroom |
| 3:14 | K | blinds up, light floods in |

### Part 6: "You Are a Booby" (16 frames)

| | | |
|---|---|---|
| 3:16 | | stirs WIFE |
| 3:18 | | MAN: "The unicorn ate a lily." |
| 3:21 | L | WIFE: "You are a booby, and I'm going to have you put in the booby hatch." |
| 3:32 | | MAN: "We'll see about that." |
| 3:34 | M | pulls blinds down, room grows dark |
| | | walks out |
| 3:38 | N | MAN: (sticking head back in door) "But he has a golden horn in the middle of his forehead." |
| | | WIFE stalks out of room |
| 3:44 | O | her head appears at top of staircase |
| 3:48 | P | MAN, in garden, looks for UNICORN. MAN: "Oh, unicorn." |
| 3:51 | Q | WIFE: (on telephone) "Hello, hello! Give me the police." |
| 3:54 | R | MAN: "Unicorn—oh, unicorn." |
| 3:58 | S | WIFE: (on telephone) "I'm absolutely sure officer that you're going to need—a straightjacket." |
| 4:03 | | hand slams down telephone |

### Part 7: "The Wife" (20 frames)

| | | |
|---|---|---|
| 4:05 | T | MAN, in garden, looks right, then left |
| | | MAN: "Here, unicorn," then |
| 4:16 | | turns and walks lifelessly to tree, stops, |
| | | sits down, folds arms on chest, head drops |
| 4:26 | | WIFE: (on telephone again) "Hello, doctor. Doctor, if you only knew what I've been through this morning." |
| | | dissolve to DOCTOR's office |
| 4:30 | U | DOCTOR: "Yes (etc.)." WIFE's yackle heard over phone |
| | | DOCTOR: "Now then." sits up |
| 4:44 | V | dissolve to house with WIFE, DOCTOR, and POLICEMEN |
| | | DOCTOR: "Tell us all about it (ah)." |
| | | WIFE gets up from chair, goes to window, |
| 4:51 | | peeks out, runs back and sits |
| 4:55 | | WIFE: "My husband saw a unicorn this morning." |
| 4:59 | | close up of DOCTOR, nodding |
| | | POLICE look at DOCTOR |
| 5:04 | | WIFE talking to DOCTOR |
| 5:07 | | POLICE look at DOCTOR |
| | | DOCTOR looks at POLICE |
| 5:10 | | WIFE: "He told me . . ." (WIFE leans forward) "it had a golden horn" |
| 5:13 | W | (DOCTOR recoils, WIFE forward) |
| | | "in the middle of its forehead." |
| 5:16 | | WIFE back down, DOCTOR slumps down |

### Part 8: "Of Course Not" (16 frames)

| | | |
|---|---|---|
| 5:20 | | DOCTOR looks at POLICE |
| 5:22 | | points three times with his pince-nez at WIFE |
| 5:24 | X | POLICE spring into action, chair falls, struggle |
| 5:32 | | WIFE: "Eek!" |
| | | blinds clatter as room lights to garden color |
| 5:34 | | MAN walks in |
| | | WIFE's muffled cussing heard as MAN raises head and |
| 5:39 | | stops |
| | | pan over to WIFE in straitjacket |
| 5:41 | | MAN looks at her |
| 5:44 | | DOCTOR: "Ahem . . " |
| 5:45 | | "Did you tell your wife you saw a unicorn this morning?" |
| 5:48 | | MAN: "Of course not . . ." |

### Part 9: "A Mythical Beast" (12 frames)

| | | |
|---|---|---|
| 5:49 | | "The Unicorn is a mythical beast." |
| 5:52 | | DOCTOR: "That's all I wanted to know . . ." |
| 5:56 | Y | "Take 'er away." |
| 5:58 | & | police hoist WIFE up, and trot forward, and out |
| 6:04 | | DOCTOR: "I'm sorry sir, but your wife is as crazy as a jaybird." |
| 6:09 | | DOCTOR turns and walks out |
| 6:11 | | MAN turns head left |
| 6:14 | | turns to audience |
| 6:16 | Z | smiles |
| | | dissolve to yapping jaybird |
| 6:22 | | "Moral:" |
| | | fade out, bird fade in |
| 6:25 | | "Don't count your boobies until they are hatched." |
| | | dissolve to: "A U.P.A. Cartoon." |
| | | final fade out |
| 6:38 | | end of picture |

*Charles Urban in his London office. Courtesy of National Film Archive, London.*

thread runs through them. Sintzenich, of German descent, was born in England, where the diaries begin. His wife "Maimie" apparently bought him the first diary because the Kinemacolor company was about to dispatch him to the West Indies and elsewhere in the Americas for camera work and to check on Kinemacolor operations there. He was twenty-eight years old and leaving behind a young wife and two small sons. She writes in the flyleaf of the diary: "Think & love me only—Maimie xxx Dec 13th 1912." The diary entries begin the next day.

"Left home at 7 a.m. arrived office 8:10 a.m. collected apparatus. Left Waterloo 9:30 arrived alongside RSMS Orotava at Southampton 12:30. Wrote postcards to Pa, GdPa, Maimie and the boys. Sailed at 2 p.m. Dropped anchor 30 miles out on South side of I.O.W. owing to very dirty weather. Retired at 11 p.m. boat pitching slightly." (12/13/12) From then on, in diary after diary, he will record letters and postcards sent and received, and will also note—and quote—Maimie's desperate cables: "PENNILESS URGENT." These sometimes arrive when he himself is unemployed and broke. He notes money borrowed, sums cabled to Maimie, loans repaid.

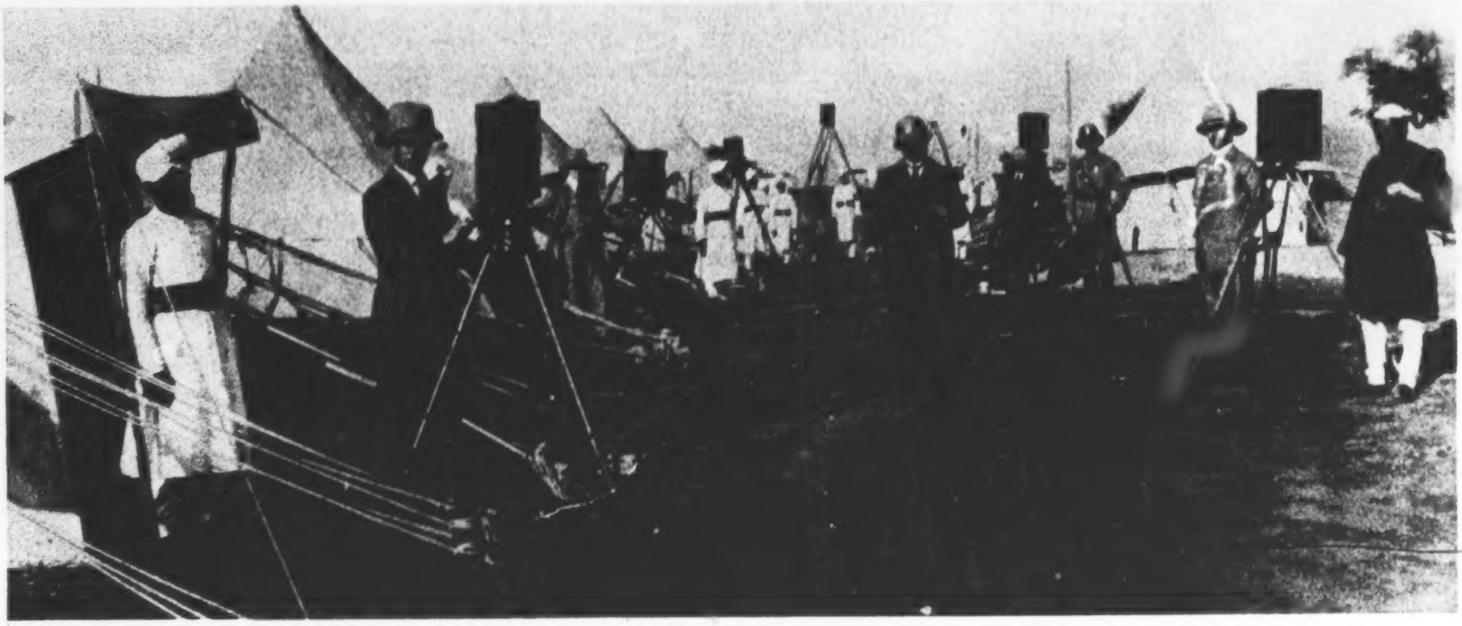
Reading the diaries, one cannot help wondering how such a marriage, punctuated by absences of months and years—often exceeding periods at home—can possibly hold together. Miraculously it does, to the last diary and beyond.

The Kinemacolor company, which started Snitch on his career, was organized by the celebrated Charles Urban, a dominant figure in the early British film world. Born in the United States, he had operated a kinetoscope parlor in Detroit, then went to Britain as an Edison representative. In 1898 he formed his own film company, specializing in "topicals" and dispatching "bioscope expeditions" throughout the world. In 1908 he introduced Kinemacolor, a color system patented in 1906 by G. A. Smith, who joined the Urban organization. The system was an immediate and large-scale success—but Urban soon found he had a bear by the tail.[2]

The system was sufficiently spectacular—and sufficiently simple—to invite piracy, and Urban found himself involved in endless lawsuits to protect his interests. The system also required careful technical monitoring. It involved a whirling color wheel in front of the camera and a similar wheel in front of the projector. The camera shot thirty-two frames per second onto black-and-white film. Half of these, alternative frames, were shot through a bluish-green filter; the others through a red filter. When projected through a properly synchronized color wheel, they produced impressive color images in which the colors blended in various ways through "persistence of vision." Theaters equipped to show the films became "Kinemacolor Theatres." Their showing, in brilliant color, of such events as the Delhi Durbar of 1911, celebrating the coronation of George V with imperial splendor, created a sensation around the world.

As young Snitch moved around on his travels, shooting Kinemacolor footage and regular footage, he received red-carpet treatment everywhere. In Vancouver he records: "Again went to Parliament House had audience with his Excellency the Premier Sir Richard McBride." He finds the premier delighted to be filmed "in Kinemacolor." (6/19/13) Young Snitch makes arrangements "for taking pictures from cow-catcher of CPR express going through Rockies east." He visits Kinemacolor theaters and sends reports to Mr. Urban. In some the equipment is malfunctioning; Snitch makes repairs. He keeps getting enthusiastic reports on his footage sent home. His West Indies sugar films, he is told, "have generally pleased everybody." (3/22/13) After thirteen months of travel he arrives home

*Charles Urban's office building, London. Courtesy of National Film Archive, London.*



*Charles Urban and a group of Kinemacolor cameramen, probably in New Delhi assembled for the 1911 Durbar marking the accession of George V. Courtesy of National Film Archive, London.*

took up gardening. They were a family again and anxious to feel settled.

The new Williamson project—centering on sharks and using Eastman's Panchromatic film (Sintzenich's first mention of this product, not yet in commercial distribution but available experimentally)—lasts six weeks, and he is back in New York calling on Metro, Fox, Famous Players, Selznick, and Solax. The next three years are a kaleidoscope of jobs, mostly of short duration, involving a cataract of names, known and unknown, and films, most of which are long forgotten. An unnamed film starring Elsie Janis—"a very difficult subject to light"—with location work in Tarrytown; "took scenes of Miss Janis driving a car at 60 m.p.h. round the fountain in a circle." (9/25/19) For Selznick, *Out of the Night* starring Olive Thomas, who is mentioned in a later diary as having died in Paris of "mercurial poisoning." Snitch is first camera, but a few days later he is second camera to Henry Cronjager, shooting *Greater than Fame* with Elaine Hammerstein, directed by Alan Crosland.[12] (11/4/19) The following month he is first camera again in the Selznick film *The Woman God Sent,* with Zeena Keefe, filmed at the Biograph studio and directed by Larry Trimble, whom Snitch finds "quite a comedian." He shoots an unnamed biblical film in Fort Lee (1/31/20), and Fox hires him for a location stint at a New Jersey iron mine, sometimes working 400 feet down in ankle-deep water, for a film starring Margaret Clayton. "At the mine we took scenes of Miss Clayton on horseback catching the rope ladder dropped from a blimp & climbing up. . . . Photographed 51 scenes." (3/28/20) Snitch also works on an episode of the serial *Fantomas,* and films Pearl White in *A Virgin Romance* when her regular cameraman is off for Yom Kippur. (9/21/20)

Most of these assignments are brief. They involve unlimited hours and intermittent pay. Two or more cameramen are often "cranking" side by side, but sometimes they work simultaneously on different scenes. A cameraman may supervise laboratory work, or edit, or even act; in one film Snitch is handed a robe and becomes a judge. His earnings sometimes rise to $175 a week but often fall much lower. The period might have been a disaster except for one major success, the Fox film *Over the Hill to the Poor House.*[13]

Work on this began in April 1920 under the direction of Harry Millarde and occupied Snitch on a daily basis until the premiere on September 17. The star of the film was Mrs. Mary Carr.[14] Throughout this time, the diary reflects rising enthusiasm.

We get glimpses of the elusive William Fox. "At the studio by 9:15 & was ready to crank at 9:30. Took scenes with Mrs. Carr and Mr. Sullivan. Mr. Fox came up and kidded Mr. Millarde about the musicians (two), cello and violin. He asked whether it was the actors or cameraman who needed the music." (5/17/20) Snitch learns from Mr. Millarde that Fox is "very happy with my photography."

In various diary entries, Sintzenich mentions working on "double exposures" or "visions." "In the studio making double exposures with Mrs. Carr and her two daughters." (5/19/20)

One day, at the end of a day of shooting, Mrs. Carr offers Sintzenich a ride in her taxi, since she lives close to the Fort Lee ferry. Later she and five of her six children visit the Sintzeniches in Englewood. Snitch sometimes refers to her as "Mother Carr." He now has a "standing invitation" for the uptown rides. Snitch mentions bringing in baskets of lettuce and cherries for Mrs. Carr. They sometimes eat their lunch together at the studio. The friendship leads to a curious encounter. Mr. Carr—previously unmentioned—visits the studio and in a "very abrupt manner" requests that Snitch no longer have lunch with Mrs. Carr "or be in her company at any time." Snitch comments: "Poor old soul has evidently a screw loose." (7/16/20)

There are repeated references to William Fox's growing enthusiasm. In July he presses Millarde to finish the film "this week." On August 10 they work all night—till 5:30 A.M. Snitch gets home at 7:30 A.M. Then he learns that Fox has "taken the picture away from Mr. Millarde" and is making final touches himself. Snitch is kept busy in September making "inserts." Fox has him "double-expose" the title *Over the Hill to the Poor House* over an old shawl. (9/16/20) The film opens the following day at the Astor Theatre.

There is "not one dry eye in the house." There are fine reviews. For weeks the Astor displays a "House Sold Out" sign. (10/31/20)

*Sintzenich with his camera and part of the cast and crew of* Over the Hill to the Poor House, *including Mary Carr (the second lady from the right, with the fruitful hat) who lived to be ninety-nine. Courtesy of his son, Cedric H. Sintzenich.*

Sintzenich has a "photographed by" credit and gets numerous congratulations. He gets an offer from another company but declines it, feeling he is "well fixed with the Fox Co." He has reason to think so, but the film is so successful that Fox decides to move his operations to the West Coast. After *Over the Hill to the Poor House,* Hollywood becomes the center of Fox production. In the end Sintzenich's moment of glory contributes to his economic dilemma.

References to flagging New York activity have already peppered the diary. "Things in general seem very slack." (3/18/20) As he renews the job hunt he notes: "Another day of waiting and watching. . . . There is absolutely nothing doing anywhere." (2/8/20) There are rumors of activity in the offing, but most peter out.

Throughout these months the remaining cameramen increasingly band together. Snitch has mentioned joining a Society of Motion Picture Craftsmen, to which he has paid a twenty-five-dollar initiation fee, (9/15/19) but a few months later he becomes a member of the United Society of Cinematographers. (5/5/20) He describes a meeting at which they learn of demands being made by laboratory workers for a 50 percent wage increase, (6/7/20) and another meeting at which a spokesman for the International Alliance of Theatrical Stage Employees talks on "unionism." (11/1/20) Soon afterwards Snitch joins a new organization, the Motion Picture Photographers Association, paying sixty-five dollars to cover initiation and three months' dues. This group becomes the focus of his activity. He designs a union emblem with the slogan "honesty, integrity, ability." (11/27/20) The diary indicates that Snitch is moving into a leadership position. He rents quarters for the group. (2/4/21) An attorney helps them frame contract objectives. (3/16/21) They also hold craft meetings, at one of which Edward J. Steichen talks to them on "What's the Matter with the Movies." (4/2/21)

The group is small—apparently some twenty-four members. Snitch mentions sending out twenty-four special delivery letters to summon members to a meeting, at which fifteen members appear. There is no indication of what takes place but Snitch gets home at 1:30 A.M.

The group is referred to as a "union" but also as "the club." "Was at the club & all the members who are at liberty turned up during the day." It is a base for job hunting, exchange of information, and messages. One gathers that the show of militancy heartens the group, but that there is little they can do for themselves in a shrinking

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tioned above, said: "Sound was the great savior of the animated cartoon."[10] His view is shared by many.[11]

### Experimental Sound Animation

That animated films support a more symbiotic relationship with music than do dramatic live-action ones is shown by the interest in animation of some composers and graphic artists experimenting with film in the 1920s and 1930s.

The American composer George Antheil attempted to write a score to Fernand Léger's *Ballet Méchanique* (1924–25) but, having failed to synchronize his music with the artist's film, presented it as a concert piece instead.[12] Paul Hindemith composed a score to be reproduced on a piano roll for Hans Richter's *Vormittags-Spuk (Ghosts before Noon).* Hindemith also worked on a synchronous score for *Felix at the Circus,* apparently also using the piano roll.[13] It is interesting to note that the piano roll, like film, can be used to generate a performance that is easily and precisely measured, and in which the measurements can readily be converted from time to space (or length) and vice versa.

An important European animated film, *La Joie de vivre* (1934), inspired a significant score. That film, by Hector Hoppin and Anthony Gross, with music by Tibor Harsányi,[14] employs highly stylized human figures, two girls and a boy on a holiday, in a fantastic world where, on the one hand, an imposing Piranesian setting of an electric station and, on the other, such pastoral scenery as a meadow filled with butterflies work together to create an idyll not altogether free from that sense of anxiety that is part of our everyday life.[15]

Harsányi's score, separately published for concert performance with the title *La Joie de vivre: divertissement cinématographique,*"[16] has an editorial preface that, by its tone, appears to be the composer's own statement:

> The subtitle "divertissement cinématographique" emphasizes [this piece's] special musical structure, which corresponds to that of cinematic works: the unconscious gliding of scenery, the linking of changes of view, the mobility of clear outlines, the constant movement of the frame itself. . . . [The piece's] characteristics are in opposition to the purely "scenic" structure of symphonically conceived works.

The music is characterized by brilliant, transparent orchestration, occasional jazzy syncopations or cross-rhythms, and lyrical melodies colorfully harmonized in a style that is quite at home in the milieu of French music of the period, the era of Arthur Honegger, Darius Milhaud, Francis Poulenc, and their contemporaries.

Another avant-garde animator, Oskar Fischinger—later to work on the abstract color sequence for Disney's *Fantasia* based on Bach's *Toccata and Fugue in D minor*—created some earlier black-and-white films: his *Studies* made between 1928 and 1932 to the music of Brahms, Mozart, and Paul Dukas's *Sorcerer's Apprentice.*[17] Fischinger also made other musically based color films, including *An American March,* based on John Philip Sousa's *Stars and Stripes Forever.* These films span the period during which the introduction of sound on film eliminated the problems of synchronization that had so troubled Hindemith and completely baffled Antheil.

What all these experimenters shared was a common interest in, indeed a fascination for, the precisely controlled articulation of both aurally and visually perceived rhythm and the possibility of the precise correspondence between sight and sound, at first suggested and later, with the development of synchronous sound film, made possible by motion pictures.

### Phonofilm and Vitaphone

The technique of creating animated moving pictures with rhythmically integrated synchronous sight and sound was successfully pioneered by Walt Disney and has long been referred to as "Mickey Mousing." Generally discredited and misunderstood when applied to the musical accompaniment of live-action films, it is an essential part of composing for films. It is most obviously and brilliantly used in the fast-paced shorts, of which Disney's *Tortoise and the Hare* (1935) was a landmark.[18] His earlier *Steamboat Willie* (1928) was, of course, a first in establishing the popularity of sound cartoons. Among composers, there have been some masterful "Mickey Mousers." Since their work depends on synchronous sound film, we will now return to the story of its development.

It is a story that began in 1918 in the mind of Lee de Forest, inventor of the Audion tube that made him famous as "the father of the radio." He wrote in his autobiography that:

> The field of the talking motion picture, the *Phonofilm*, . . . irresistibly beckoned me, as one which I might enter almost unaided. . . . Time had come for the pioneer to search for new frontiers, and this pioneer chose to put voice and music on the too-long silent film, to take the noise from the studio and put it into the theater![19]

De Forest's friend and biographer, Georgette Carneal, reports that he disclosed his plans to work on sound film to his patent attorney, Sam Darby, Jr., on a trip to Paris in 1918. In 1920 he began work on "Phonofilm," the method of recording sound on the edge of motion picture film by photographing the sound waves from a photoelectrically controlled variable light source. The resulting optical track could be electronically reproduced in perfect synchronization with the picture. In May 1922 his invention was publicly announced, with the time of its probable perfection being set two years ahead. But, on March 13, 1923, a reporter for the *New York American* published this account of its demonstration: "I sat in the dim New York studio of Lee de Forest, inventor, today and heard music on the silver sheet. As I watched the movie of an orchestra performing, I heard the music it made."[20]

That April, Hugo Riesenfeld, the conductor, composer, and arranger of silent film music, brought de Forest's Phonofilm to the Rivoli Theater in New York. One critic was indifferent, missing the rich sound of the full orchestra for which the "ordinary phonograph music" was considered a poor substitute and questioning the need for "talking pictures."

Riesenfeld and de Forest persevered and exhibited, with Riesenfeld's own orchestral score on Phonofilm, two reels of Paramount's *The Covered Wagon,* a major feature western that was released that year. But despite de Forest's claims that the film's success was due largely to Phonofilm, it is more likely that it was the grand, on-location scenery that impressed audiences. Yet de Forest continued to seek matter for his sound films in vaudeville acts (Eddie Cantor), political speeches (Calvin Coolidge), dance sequences (Pavlova), musical numbers (Noble Sissle and Eubie Blake), and cartoons.

Max Fleischer, whose New York studio was animating many cartoon characters, was friendly with Riesenfeld.[21] Fleischer had already made a hit with a series of silent sing-a-long cartoons that used a bouncing ball moving in musical time over the song text. Richard Huemer, in an interview published in *Funnyworld,* recalled the success of the first in that "Song Car-Tune" series, Gus Kahn's and Ted Fiorito's *Oh, Mabel* (1924), which Huemer himself animated:

> It was all so successful that when they ran *Oh, Mabel* at the Circle Theater, in Columbus Circle, New York, it brought down the house, it stopped the show. They applauded and stamped and whistled into the following picture, which they finally stopped, and ran *Oh, Mabel* again, to the delight of the audience. I always say that was an indication of what sound would someday do for the animated cartoon, because it was basically a "sound" idea. The use of sound combined with action even though the audience supplied the sound, nevertheless, it partook of that feeling. They sang their little hearts out. It was very successful.[22]

And so, with an introduction to de Forest through Riesenfeld, Fleischer went to the Phonofilm studios and added sound to *Oh, Mabel* and other bouncing-ball films, including *My Old Kentucky Home.*[23] Sometime later, when Max's brother Dave actually saw a sound track, he began to experiment with hand-drawn sound.[24]

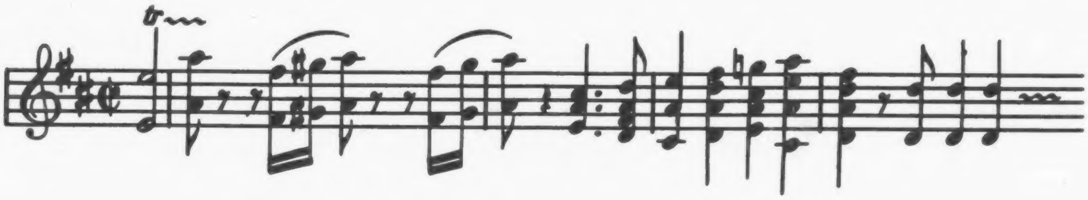
Meanwhile, Western Electric, then a subsidiary of Bell Laboratories, was developing and promoting its disc system, soon to be called "Vitaphone," the process that was to help make Al Jolson's *The Jazz Singer* (1927) famous as the "first" successful talking and singing film. Actually, Vitaphone's icebreaker had come earlier that year with a music track for Warner Brothers' *Don Juan,* starring John Barrymore. With that, recalled de Forest, "the stupid scepticism of the past suddenly vanished. The dam of opposition went out before the overwhelming surge of public approval."[25] Still more time was required to show the superiority over the Vitaphone disc system of sound-on-film. As de Forest mused, it took "six years and three huge [Warner] warehouses filled with phonoplatters."[26]

### Disney's Steamboat Willie

Warner Brothers was saved from bankruptcy by the success of Vitaphone, and its success with sound forced the film industry to follow suit, though it did so sceptically, begrudgingly, and—from an artistic standpoint—clumsily. As late as 1935, composer Douglas Moore wrote:

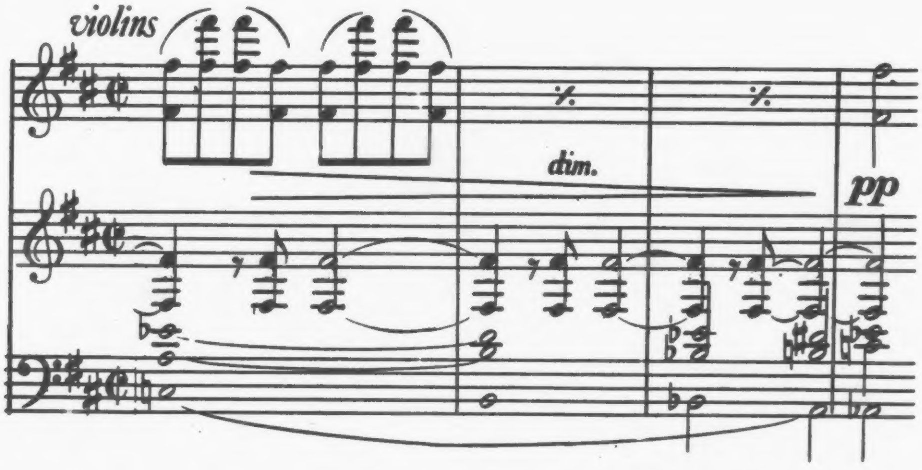
charming French-speaking mouse, who has the last word when Tom is guillotined for his inevitable nonfeasance (we only see the upper portion of the apparatus in action, silhouetted on a parapet against a nocturnal deep blue sky). At the fall of the blade, the little mouse, plumed hat on head and sausages in both hands, says: "Pauvre, pauvre poosie cat. C'est la guerre." In an early scene (disc side 1, band 1), Tom, having received his orders, struts into the banquet hall, saber at his side, to a grand sounding orchestral accompaniment worthy of Errol Flynn.

Example 1



Then, as the violins execute a melodramatic figure that one might well characterize as orchestral eyebrow raising, we pan to a window through which the Two Mouseketeers are making their entrance.

Example 2



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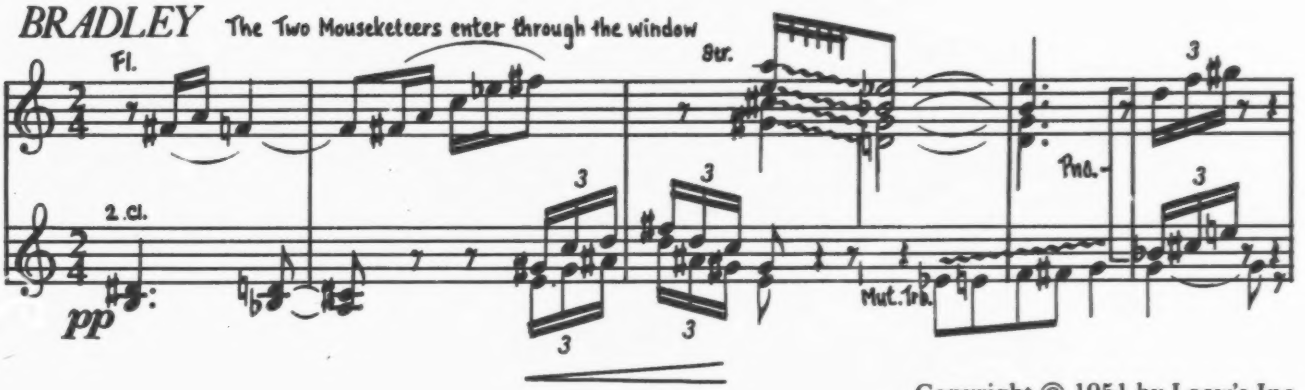
At this point, the solo woodwinds take the principal role and, with their entrance, the harmonic as well as instrumental styles change. Compare the tonally disjunct woodwind arpeggios with this famous passage from Stravinsky's *Petrouchka.*

Example 3A



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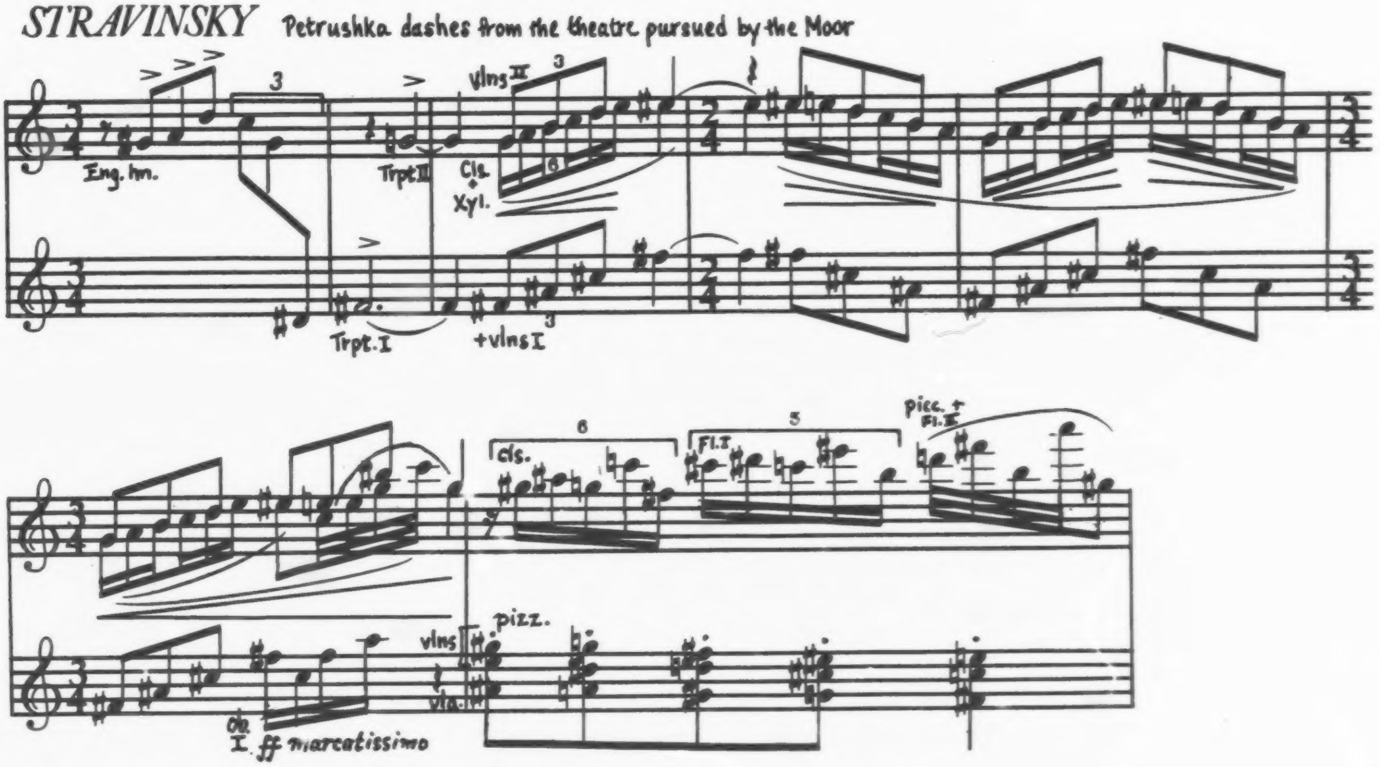
Example 3B



This colorful "wrong note" style of composing is not easy; it is, in fact, often more difficult to find the right "wrong" note than to fall back on the traditionally established "right" note methods. Bradley was expert in both styles and could glide smoothly from one to the other or make abrupt shifts, as the action required.

Bradley, like his colleagues at the Disney studios and elsewhere, was also expert at arranging the war-horses that supported the cartoon takeoffs on the musical classics. Perhaps his most memorable contribution in this department was for the Academy Award-winning *Cat Concerto* (1946), in which Tom appears as the keyboard virtuoso versus Jerry, the piano's resident technician who helps considerably with recomposing Liszt's *Second Hungarian Rhapsody*—and discomposing Tom. Bradley did more than adapt Liszt's music à la Vladimir de Pachmann, the flamboyant Polish showman whom Bernard Shaw called a "pantomimist and pianist" while speculating on the happy results that might be obtained were de Pachmann to omit the audible features of his concerts.[58] For Bradley had to show the animators how to make Tom's mannered pianistic performance believable, which meant that even the details of the often closely observed finger work had to be realistic. For this

*Unicorn in the Garden* is UPA's animated version of James Thurber's story of the same title that first appeared in his *Fables for Our Time and Famous Poems Illustrated.*[64] The principal characters—a man and a woman, and a unicorn—are modeled after Thurber's own cartoon figures; even such elastic, Thurberesque properties as the telescoping arm were incorporated in some scenes. The story, which the reader can follow in detail on the schematic timing chart which is keyed by letter to the frame enlargements on the foldout, can be summarized concisely.

One bright morning, a man is having breakfast while his wife is sleeping upstairs. He sees a unicorn eating roses in his garden. Full of wonder, he goes out to see if it is real. He touches its horn and rushes upstairs to the darkened bedroom where his frowsy spouse lies dreamless. "The unicorn," she informs him, "is a mythical beast." The man returns to the sunny garden, feeds the unicorn a lily, and rushes back into the dark house where his wife greets this report with the announcement: "You are a booby, and I'm going to have you put in the booby hatch." Undaunted, the man returns to the garden. But the unicorn has gone; so he sits under a tree. Meanwhile, his wife calls the police and a psychiatrist. They come and, after hearing her story, put her in a straitjacket. The man enters the house and they ask him if he saw a unicorn. "Of course not," he replies. "The unicorn is a mythical beast." The wife is carried away. Moral: "Don't count your boobies until they are hatched."

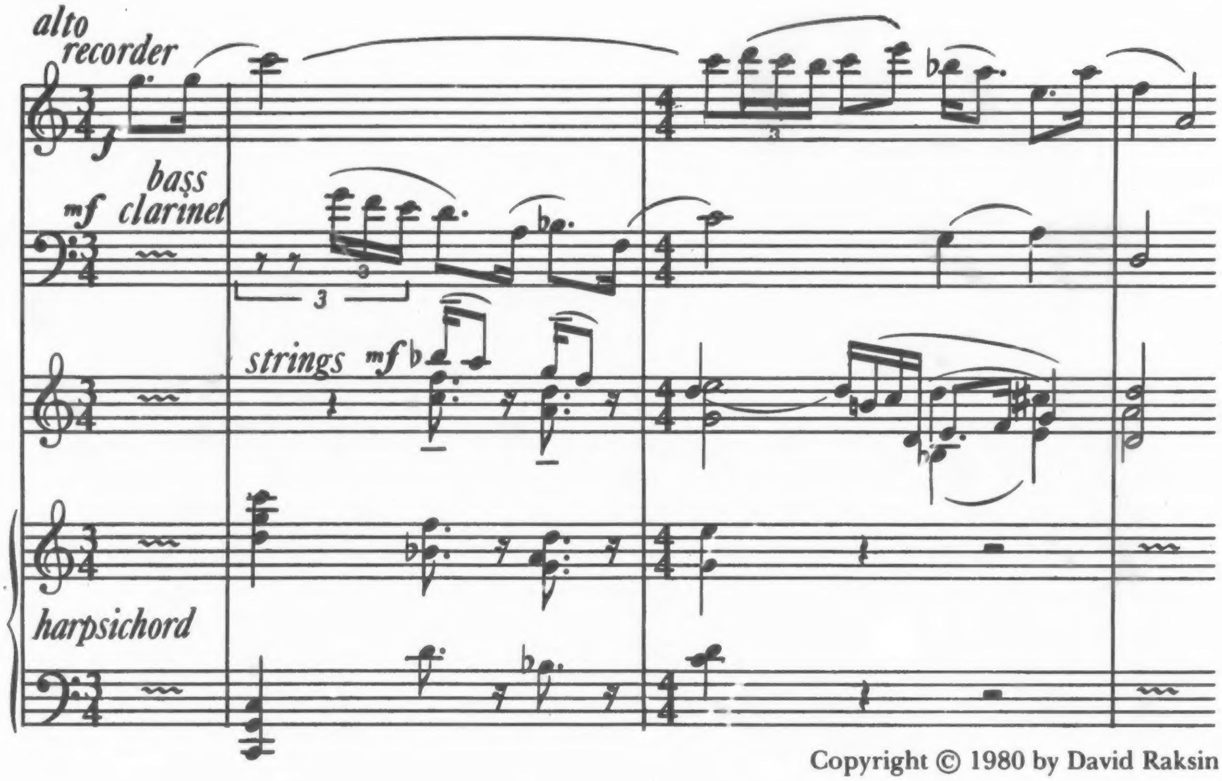
In addition to the effective animation of Thurber-style characters, the use of color, as much as action, articulates the pace or rhythm of the story with its rapid changes of mood. Basically, the colors alternate between the sunny yellow of the garden and the somber green and purple hues of the house interior into which some rays of light stream when the man pulls up the venetian blinds in the bedroom. Conversely, when he lets down the blinds, it grows gloomy again and, as Raksin has written in his score, "dark color floods in." Also, there is one amusing, and clearly intentional, coloristic anomaly: the unicorn's horn, described by the man as "golden," is, in fact, aside from the man's bow tie and the roses, the only red thing in the film.

Raksin has described the musical form of his score, which was written before the film was animated, as "rondoesque."[65] Indeed, this logically corresponds to the pattern of the film, with the lyrical "man-unicorn" episodes alternating with the increasingly agitated "wife" episodes that progress from bed to booby hatch.

A: MAN in kitchen sees unicorn
    B: WIFE in bed: "The unicorn is a mythical beast."
A: MAN returns to garden
    C: WIFE in bed: "You are a booby."
A: MAN returns to garden
    D: WIFE calls police
A: MAN looks for unicorn
    E: WIFE calls psychiatrist
A: MAN sits under tree
    F: Police and psychiatrist with WIFE
A: MAN comes in from garden
    G: Psychiatrist orders WIFE taken away
A: MAN smiles at camera

The principal theme, lyrical and diatonic, played by the alto recorder, is the "unicorn" motif. Of it, and the score in general, Thurber wrote to Raksin: "I am not a music maker myself, but I loved the music for *Unicorn in the Garden,* especially the tune that was played whenever the unicorn appeared. It sounded just right for unicorns."[66]

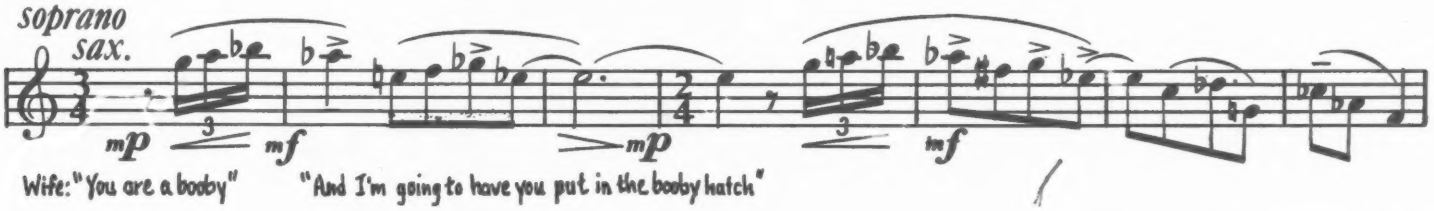
Example 4



Copyright © 1980 by David Raksin

For the wife, Raksin uses the high soprano saxophone.

Example 5



Copyright © 1980 by David Raksin

Its whining sound and chromatic line are not pretty. But in its melancholy way, the saxophone melody corresponds more to the pathetic than the sinister side of the wife's nature. She is drab, unimaginative, and the victim of her own cunning. Raksin, who indulged enthusiastically in

*Sintzenich, on the far left, when he made a trip across Canada for Kinemacolor strapped to the front of a locomotive. Courtesy of his son, Cedric H. Sintzenich.*

in a state of elation. "Bought 9 trade papers with accounts of my trip." (1/26/14) He is at once given the task of filming the opening of Parliament by King George, and has the pleasure of seeing his film in a theater that afternoon. (2/10/14) He takes Maimie to the office to see all his American footage, and chats with Kinemacolor inventor G. A. Smith. Meanwhile he keeps trying to see his boss, Mr. Urban, about what the future may hold in the way of assignments, but Mr. Urban seems preoccupied. Then Snitch gets a shock. The Kinemacolor company has lost an important case in the Appeals Court. It plans "taking the case to the House of Lords" (4/1/14) but two weeks later, before leaving the office, Snitch is given "a notice to read . . . saying that the Natural Color Kinemacolor Co. Ltd. had gone into liquidation . . . my services would not be required after today." The company would struggle on and occasionally hire him on a per-day basis, but his job was over.

He begins a whirlwind search for new employment, visiting the London Film Company, Pathé, Union Film Company, and Topical Film Company.[3] Then he hears that a Lady Grace Mackenzie needs a cameraman for a big game expedition to East Africa, goes to the Carlton Hotel, and is hired. Two days later (4/23/14) he and Lady Grace and others head for Paris and Naples, en route to Nairobi.

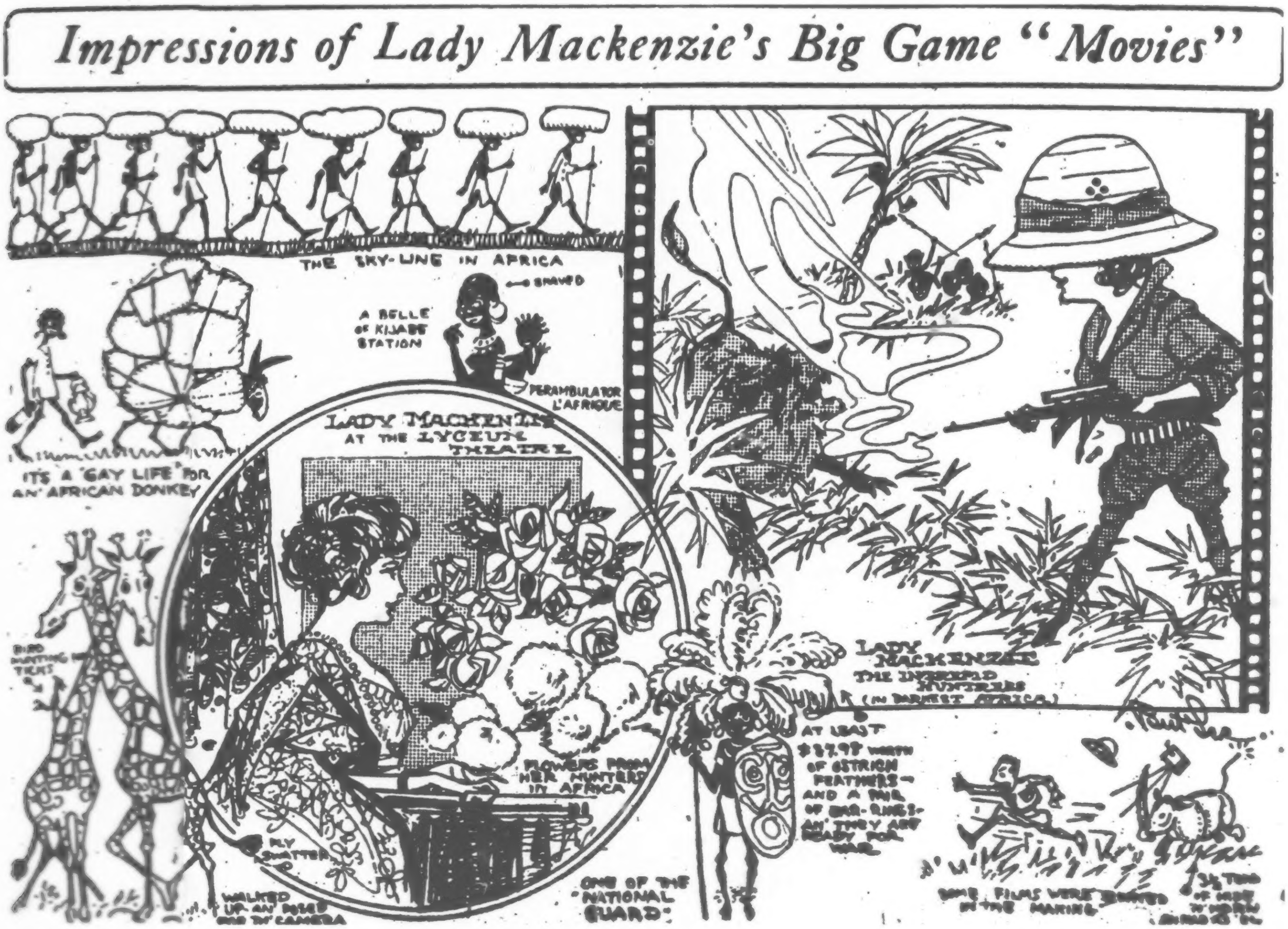
Here begins a long involvement with Lady Grace Mackenzie, with dramatic ups and downs and ultimately an important impact on his career. We gradually gather from the pages of the diary that "Lady Mac"—as the diary soon calls her—is backed by American investors and that the purpose of the safari is the motion picture footage he is to take, which is expected to yield a handsome profit from theater showings. Lady Mac apparently knows little about film but seems glad to leave all that to Snitch.

For a while they get on fine. In Paris he buys equipment for the expedition from Lumière, Pathé, and other companies. From Naples they set sail on the *S. S. Gascon* for Mombasa, from where they will go by train to Nairobi, continuing from there with "fifty boys and safari outfit. . . ." (6/1/14)

Throughout this period the diaries are full of references to Lady Mac. "Lady Mac made many purchases from hawkers." (4/30/14) "Repaired Lady Mac's Kodak." (5/13/14) "Shopping etc. in morning for Lady Mac." (5/21/14) "Up early & out with Lady Mac & Mr. Shelley, buying and making final arrangements." (6/1/14) "Slept in Lady Mac's tent last night." (6/3/14) There is no further explanation of the last entry.

The expedition includes a doctor with a somewhat Dickensian name—Dr. Dudgeon. He is soon very busy as practically everyone falls ill. Snitch has constant fevers and agonizing abdominal pains, but the work grinds on. One night, "was up with Syd Lydford nearly all the time expecting a visit to our cave as we had elephant, rhino & lions all around us, who occasionally got our wind & set up an awful noise. . . . Lizards, bats & small snakes run & fly about in the cave & keep us company at night." (10/31/14) Occasionally useful footage is obtained, including what Snitch later describes as "the first authentic motion picture of a charging lion." In December they are back in Nairobi, developing and editing.

But the strain has had its effect. There are arguments with Lady Mac—"showeries," he calls them. A New Year's Eve entry, written in Nairobi, tells us: "Not feeling at all happy today, cannot forget a few things said to me by Lady Mac last night. Joined party for New Year cele-


Impressions of Lady Mackenzie's Big Game "Movies"
THE SKY-LINE IN AFRICA
SHAVED
A BELLE OF KIJABE STATION
PERAMBULATOR L'AFRIQUE
IT'S A "GAY LIFE" FOR AN' AFRICAN DONKEY
LADY MACKENZIE AT THE LYCEUM THEATRE
BIRD HUNTING TICKS
FLY SWATTER
FLOWERS FROM HER HUNTERS IN AFRICA
WALKED UP AN' POSED FOR DE CAMERA
ONE OF THE NATIONAL GUARD
LADY MACKENZIE THE INTREPID HUNTRESS (IN DARKEST AFRICA)
AT LEAST $37.98 WORTH OF OSTRICH FEATHERS— AND A PAIR OF EAR-RINGS— AN' THEY ARE READY FOR WAR
SOME FILMS WERE SPOILED IN THE MAKING

*An amusing and spritely cartoon of "Lady Mac" from the New York* American *of June 15, 1915.*

market. And while they share problems, they are also competitors for the same dwindling jobs. At one point Snitch confides to his diary: "I have grave doubts as to the honour and integrity of one of our members. . . ." (3/16/21)

In the determination to hang on, a factor must have been David Wark Griffith—at least, for many in the group. While whole studios moved west, he had done the reverse. Proclaiming his disenchantment with Hollywood, he had established his own studio at Mamaroneck. His presence had immense symbolic significance for the New York film colony, giving hope to Snitch and others.

The diaries had already mentioned various attempts to contact the Griffith studio. Early in 1921—on the heels of *Over the Hill to the Poor House*—Snitch has visited a Wynne Jones at the Griffith office and been "graciously" received. A few months later: "Met Mr. Billy Bitzer for the first time today and had quite a talk with him." (5/3/21)[15] A Mr. Lloyd, also of the Griffith office, promises him a tryout if they need an "extra camera." (5/6/21) During the following months these contacts seem to be leading to action. Lloyd asks him "to call around about May 5." (4/27/22) Lloyd then introduces him to Henrik Sartov, who has become Griffith's leading cameraman. Visiting the Griffith studio, Snitch has a three-hour talk with Sartov and is introduced to Griffith himself. (6/1/22) But later he learns that nothing has been settled; in fact, "the project" has been postponed.

All this is interspersed with further spasmodic jobs—most of them unrewarding. The Lady Mackenzie saga makes a reappearance, by no means the last. Work on the African footage has yielded a new feature film titled *Heart of Africa,* in which Sintzenich is credited with the photography. Mr. Frisbee says it will premiere in Buffalo early in May. The Frisbees now want him to shoot a follow-up film on St. Andros Island, near Nassau, about the life and habits of flamingos. Snitch agrees, and in August he sets up camp on the island, builds a blind, and in all-night vigils gradually moves it closer. He is "bitten by millions of mosquitoes" and returns with "a dozen huge boils on left leg." He feels very sick and is increasingly worried about his health. Diary entries have mentioned painful piles and a suspicion of stomach ulcers. His 1922 earnings are only $2,559.

Inserted into the diary at November 5, 1922, is a strange memento—a crayon-decorated card from one of the Sintzenich boys. "From Bubbles. Daddy will get work. God will give Him it."

Late in December he hears that Sartov has "picked me to go South with the Griffith Co." But Christmas passes without further word. Then, on January 3, the summons comes.

The diaries covering Sintzenich's work with Griffith, 1923 to 1926, will be studied minutely by Griffith scholars. They involve five silent features: *The White Rose* (1923), *America* (1924), *Isn't Life Wonderful?* (1924), *Sally of the Sawdust* (1925), and *That Royle Girl* (1926). They contain fascinating glimpses of the master at work. There is room here to mention only a few aspects of Griffith that are illuminated by the diaries.

They constantly reflect the wide awe that Griffith still commands throughout these years. He is always "Mr. Griffith" or "the Governor." On train trips he may play poker with actors and cameramen but an "invisible barrier" surrounds him. President and Mrs. Harding come to visit him on location. Reporters besiege him. And he speaks on the radio with an eloquence and resonance that prompt Maimie to say: "A man who can talk like that—no wonder he can make films."

On the other hand, the diaries offer evidence of Griffith's mounting financial problems, his gradual loss of artistic independence, and finally the slippage in his industry status.

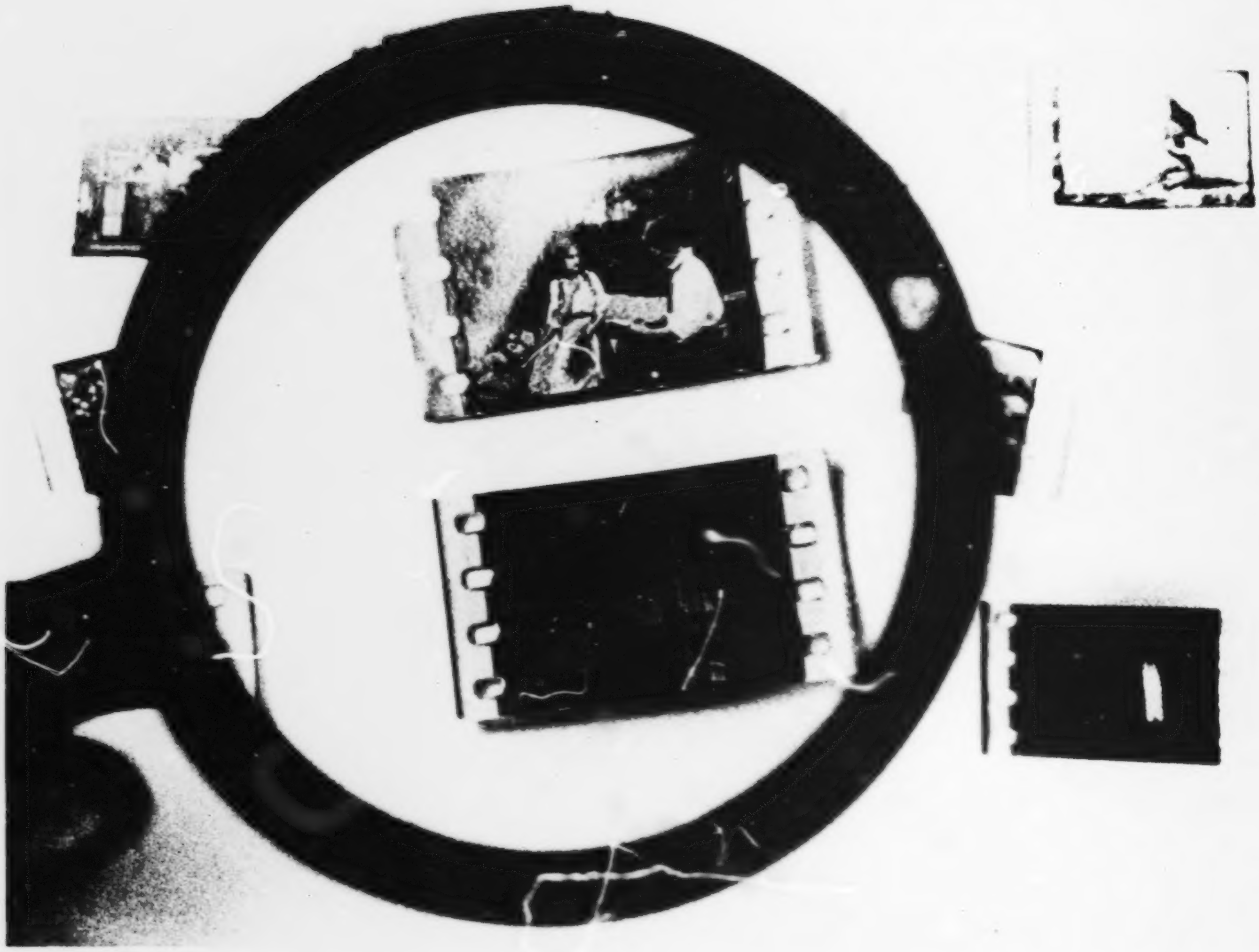
At the start of 1923 there is no hint of the decline. And Snitch's entry into the inner circle has the quality of initiation ritual.

The January 3 summons to Mamaroneck, which reaches him in town, tells him to bring his camera. "Went home got the apparatus & took the 2:28 from 125th St. Arrived at the studio in a snowstorm. Loaded up & took my first shot, close up, of Miss Marsh.[16] Continued working until 8 o'clock. Caught the B&W [Boston & Westchester] 8:40 train from Larchmont & got home at 10 o'clock. Everybody feeling much happier tonight with the bright prospects in view for me." However, not a word has been said to him all day about his status. He has no idea whether he has actually become a Griffith cameraman; and if so, at what salary. (1/3/23)

D. W. Griffith talking over his film, America, with Col. J. Hamilton Hawkins, the commandant of Fort Myer, Virginia. On horseback is the then Maj. Jonathan M. Wainwright who led the cavalry in a charge for the film. November 1, 1923. Prints and Photographs Division, Library of Congress.

Next day the same ritual is repeated. Long hours of shooting with "Miss Marsh & Mr. Novello."[17] Then they all sit down and look at scenes from *Way Down East, Intolerance,* and *Orphans of the Storm,* and discuss lighting problems. No word to Snitch about his status. Next day, the same story. They shoot from early morning till 8 P.M. Snitch writes in his diary: "Things in general going along about the same, but nothing definite has been arranged with me, as to whether I am satisfactory etc. & no mention as to terms etc." (1/5/23) Next day he again shoots from morning until 8 P.M., then has dinner with Sartov and others, after which they all go to the projection room and look at five reels of the new footage—"I am happy to say mine was as good as the rest"—after which Mr. Griffith has a print of *Little Lord Fauntleroy,* with Mary Pickford, run off for further discussions about lighting. Snitch finally catches an 11:30 P.M. train and gets home long after midnight. He still has no word of clarification. (1/7/23)

All this goes on for four more days, including a twelve-hour Sunday stint during which Griffith "is in a cheerful mood . . . singing most of the time between shots," and Sartov does "some beautiful lighting . . . of which I made notes." (1/7/23) Finally, on January 12—his tenth day of work—Snitch is informed that he is hired—"which is the best news I have had in years." (1/12/23) His salary, $175 per week, is



*Two magnified paper prints of frames from Mauritz Stiller's* The Wings, *one in perfect condition, the other showing chemical destruction and broken perforations caused by careless handling.*

paper prints do not constitute a fire hazard. All these paper prints are listed by film title in the *Catalog of Copyright Entries: Motion Pictures, 1912-1939*, published by the Library of Congress in 1951.

Because these paper prints were considered "legal documents," for many years they were not available for research. For some years, however, the Library has permitted a few film historians who have proven their ability to conduct serious film research to study these paper prints, and I am honored to be one of them.

## Early Scandinavian Films

In 1941, the original negatives of many films important to an understanding of the development of Scandinavian cinema were destroyed in a disastrous fire which burned all of the negatives of the films made by the largest of the early Swedish film companies, Svensk Biografteatern, the predecessor of Svensk Filmindustri. The release prints which survived were usually of poor quality and were not in their original condition due to chemical deterioration.

The years before, during, and after World War I were ones of great productivity for the Scandinavian film industry. Danish films were exported all over the world and particularly influenced European filmmakers. Danish film stars were even popular in Siberia and Japan. The Swedish silent film school flourished during the postwar period; its two most important productions were Mauritz Stiller's *Sir Arne's Treasure* (1919) and Victor Sjöström's (in the States he became known as Seastrom) *The Phantom Carriage* (1920), both based on stories by the Swedish writer Selma Lagerlöf.

Disaster struck again in 1948 when a lightning-induced fire destroyed Svensk Biografteatern's library of scripts and other literary records. Consequently, historians interested in the formative years of the Swedish film industry and in its two pioneers, Stiller and Sjöström, have had to rely on a few surviving films, reviews, and the memories of film workers and movie fans.

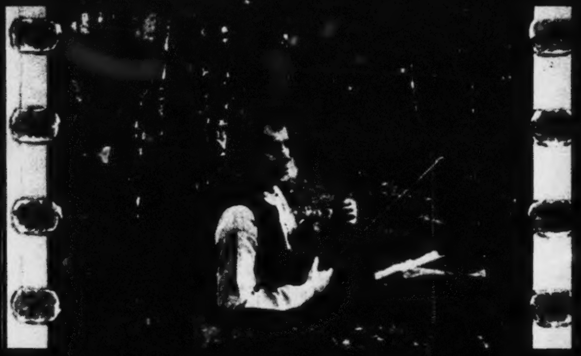
In an effort to restore this Scandinavian cinematic legacy, in 1971 I wrote to the Library of Congress asking if the photographs which had been required for copyright registration during the first part of the century had survived. Packets of single-frame, positive 35-mm photos were located and through the auspices of the Swedish Film Institute I was permitted to borrow these tiny frames. I hand-carried them to Sweden, where I rephotographed them, made enlargements, and began the process of reconstructing the scenarios of these films. The enlarged illustrations in this article are a testimony to the extremely fine quality of these paper prints.

### The Reconstruction Process

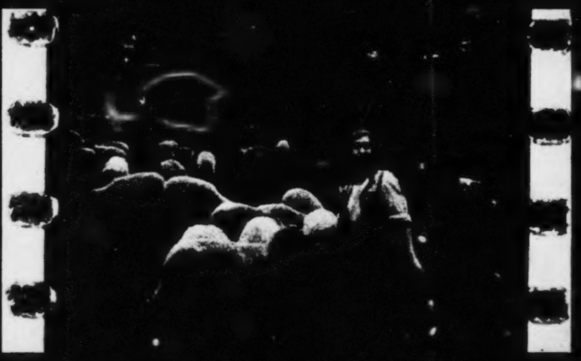
The Library provided me with the complete material from sixteen Swedish and eleven Danish films. The Swedish films, none of which survived in Sweden, were produced in 1915 and 1916 and included six of Mauritz Stiller's and six of Victor Sjöström's. The Danish pictures were produced from 1913 to 1915 and none of these survived in Denmark.

There were 1,518 frames from the sixteen Swedish films, and 720 frames from the eleven Danish films. These 2,238 small paper prints each measured 26 by 19 mm, the same size as the original negatives, and had 3- to 5-mm perforated borders on which markings indicating the origin of the negative could be read. These frames had been sent to the Library in small packets, bound by rubber bands. For many

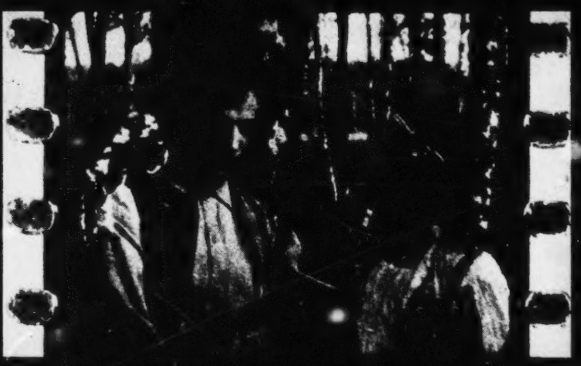
Scenes from *Wolo Czawienko (Balettprimadonnan)*. Directed by Mauritz Stiller. Svenska Biografteatern, Sweden, 1916. This scenario was reconstructed by the author from the 35-mm photographs deposited at the Library of Congress for copyright.



*The young poor musician Wolo (Lars Hanson) waits in the forest*



*for Anjuta (Jenny Hasselqvist), who is out with a flock of sheep.*



*They are in love with each other but both of them know that it is a hopeless situation.*

*In the silent cinema, two, three, or even four negatives were made of movies. Sometimes two or more cameras were cranking side by side, but at other times two or more stagings of the action were filmed. Here are two scenes from* Siegfried *(Fritz Lang, 1923) which circulated in different versions in Europe and the United States. Siegfried's death and Krimhild mourning over the body of her beloved husband. Courtesy of the Museum of Modern Art, Film Stills Archive.*

Especially since film scholarship has been taken over by semioticians who study film texts as closely as if they were Bibles, not even a nontechnical researcher should remain ignorant of film forensics. I cannot offer an inventory of differences that may exist between the first and available current editions of just any movie, or among variant versions, but I can offer a few examples based upon my personal experience and thereby provide at least some basic caveats.

### Silent Films

Approximately 85 percent of the American films made before the coming of sound have been lost because of the unstable nature of the nitrate film stock on which they are contained. They have suffered more physical neglect and greater deliberate destruction than any other art objects.

Nitrocellulose, or nitrate film, was developed in 1889 after five years of experimentation by George Eastman and was the principal base for professional motion pictures until 1951. Nitrate film had many excellent qualities. It was flexible, long wearing, superb in terms of light transmission, and relatively cheap. But it also had two major flaws. It was highly flammable, with a chemical composition quite similar to guncotton, and susceptible to decay because of its chemical instability.

Because of these problems, only a small fraction of early films are still available in first-generation 35mm master positives or as original negatives. Often, unique copies in altered unauthenticated versions have become the subject of careful but uninformed study. Many silent films, cut for home use in the 1920s, only survive in such abridged forms. *Life of an American Fireman*, an Edison production of 1902, has been widely admired for its sophisticated editing—because early scholars of the film were not aware that they were looking at an altered print. An outstanding book on John Ford discusses his first feature, *Straight Shooting*, as a foreshadowing of Ford's late work.[3] It quotes titles and shots which establish a pattern linking *Straight Shooting* with *Wagon Master, My Darling Clementine*, and *The Searchers*. The author does not point out that this family resemblance may be the result of plastic surgery, since the only original print of *Straight Shooting* was found completely out of scene order in Czechoslovakia in 1966. Working from a one-paragraph plot synopsis from Universal's publicity files, I assembled the picture and wrote all the English captions in 1969, based on my knowledge of Ford's later work.

As another example of what may occur during film restoration, let us consider Robert Flaherty's great pioneer documentary of Innuit (Eskimo) life, *Nanook of the North*. This film remained in more or less continuous distribution throughout the twenties and thirties and received both theatrical and 16mm reissue in the late 1940s in a version that was reedited and equipped with a narration and music score. Commercially, it became one of the most long-lived films ever made, familiar to school children as well as film buffs. In 1971 International Film Seminars, a nonprofit organization established to operate the annual Robert Flaherty seminars, asked me to reassure it about the condition of its fifty-year-old Innuit ward, for it had acquired the film's copyright as a gift from Revillon Frères, the producers.

I found the original negative had decomposed and was burned in 1960. A protection copy made from it in 1940, also on nitrate film, had been destroyed in a disastrous nitrate film fire at the National Film Board of Canada in 1967. Turning to the protection materials for the reissue version with narration, we found two-thirds of the master print totally lost to nitrate decomposition with decay already evident in the remaining two reels. One reel of the copy negative had already decomposed as well; the other reels were missing the left edge of the image. The portion of picture area that had been preempted for the sound track when talkies came in had simply been left blank in this copy. The only 35mm, first-generation print we could find in this country had been made for Robert Flaherty himself in 1937, when the negative was already scratched and blemished from fifteen years of printing; the positive was badly worn from decades of exhibition.

In London, I found that the British Film Institute possessed a 35mm print which could be identified as a 1922 original positive by certain codes latent in the film stock. It was lacking nearly nine hundred feet and was badly scratched, but since the negative had been clean when it was printed, I thought we might some-the editing, while original photographic compositions are grossly distorted.

Fortunately, the majority of recent American films are available in unambiguous official texts; however, since there are many significant exceptions, film scholars must assume full responsibility for qualifying the texts before drawing conclusions based upon close analysis of any portion of them. Film studios do have records showing the differences between versions. There is also some documentation available which can help scholars authenticate versions of early films, such as cutting continuities prepared for censorship and export purposes. Careful physical examination of original film copies can be very helpful in authenticating a text. With respect to older films, these physical clues include plain markings on the film, varying lengths, perforations, stock manufacturers' marks, printed-in clues to duping history, and internal evidence. The industry's push against piracy is also helping to refine validating procedures with respect to official current productions, although no standards have yet been instituted.

There are, however, no guiding principles for authenticating one among several variant texts, although if the central creative figure in a film can be identified, and if a version represents the most freely expressed vision of that creator, perhaps that version can be regarded as definitive. To substantiate judgments in those areas often requires a great deal of research in nonfilm materials.

Nonetheless, the degree of textual sophistication which scholars in other disciplines take almost for granted is still unknown in film study. This is a call for film scholars to become aware of this need and assume a leadership role.

## NOTES

1. Hector Currie, "Signs and Portents in the Subliminal Imagery of Eisenstein and Pudovkin," paper presented at the Society for Cinema Studies Conference, Philadelphia, February 1978.

2. "In both there appear the conventional sign of 'the marked man,' a sign of blood on the forehead."

"At the outset of *Potemkin*, as Vakulinchuk descends the ladder and in the frame directly preceding his passage into shadow . . . there is drawn upon his brow a mark of blood."

"In *Mother*, the title character's fearful prevision of her son, Pavel, slain, is subliminally conveyed, in the shot of Pavel with eyes closed in death, by a single frame imprint upon his forehead of the fatal mark of blood."

"Thus, in both *Potemkin* and *Mother* the sign of blood is a portent of the ultimate ascendency of the martyrs' cause."

"At the point in *Potemkin* where the mutiny breaks out, with Vakulinchuk's vehement gesture of solidarity, raising his fist, and his mad dash out of frame, there is inscribed, printed in reverse, a vigorous handwritten legend. The letters are white, an evidence the negative received the slashing ink line. The energy of this revolutionary graffito provides added impetus to Vakulinchuk's hurtling action of liberation."

3. Joseph McBride and Michael Wilmington, *John Ford* (New York: DaCapo Press, 1975).

# The American Film Institute and the Library of Congress

## A Twelve-Year Perspective

### by Lawrence F. Karr

The realization has been slow in coming that the moving images of film and television are a true record of our time—the richest source of information on the spirit, the attitudes, and the daily life of the twentieth century. The importance of gathering and preserving these moving images has now been established, but a large number of the films from the first half of this century and a major portion of the television programs from the last thirty years have been lost forever. Between the turn of the century and 1951, more than twenty-five thousand feature films were produced in the United States, but only about 50 percent of these survive in any form. The same probably is true for newsfilms, documentary films, and television programs.

Nitrate base film was used for theatrical films until 1951. It is hazardous to store and can decay even in controlled archival storage after forty years or less. As yet no way has been found to prevent the self-destructive processes—and there is no mistaking the end. The film's surface becomes sticky, the emulsion separates from the base, the image is soon beyond recall, and the celluloid itself turns first into a coagulate and finally into brown powder. At the final stage, the flash point is lower than that of newsprint, and, where the gas given off by the decomposing celluloid can build up pressure, spontaneous ignition is possible.

Even sound films (originally made on nitrate base) now available to television are not necessarily safe from loss. The original nitrate materials often have been copied only to 16mm duplicate negatives of generally inferior quality, which, in any case, are subject to the wear and tear of regular printing, with its attendant handling risks. The nitrate originals, once copied to 16mm, often remain untouched until the 16mm negative has been worn out or ruined. In numerous intances, the nitrate originals have been found decayed beyond use when needed once again.

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Lawrence F. Karr is administrator of the preservation program of the American Film Institute. Having been at the AFI for nine years, Dr. Karr has seen firsthand much of the growth and progress he describes in this article.

respect, the Library helps AFI through its own similar policy, so that once AFI acquires a film and turns it over to the library, not even AFI can get it back unless the consent of the copyright owner is secured. This system can be very useful when we need to resist the blandishments of a private collector who offers to trade his nitrate film for a copy of *King Kong*, for example, since there is no way we could remove the film from the Library.

On several occasions, the film companies have been cooperative in helping the archives to acquire copyrighted films. We recently acquired from a private collector the only known copy of Frank Capra's *The Power of the Press*, made in 1928 with Douglas Fairbanks, Jr. The collector agreed to give us the original print in exchange for a new 16mm duplicate print. Columbia Pictures agreed to this arrangement and executed a license agreement with the collector governing his use of the new copy. Several years ago Twentieth Century-Fox granted similar permission for a collector who had acquired a beautiful print of *Sky High*, a 1922 film starring Tom Mix. These are exceptions to the rule, as both of these are important films. By and large, however, most collectors understand our need to respect the copyright law, and we are seldom asked to make a quick deal under the table, with the collector promising "never to tell anyone."

### Competition for Acquisitions

One problem encountered in general institutional acquisition practices is competition with other institutions as well as with private individuals. One major achievement of the Film Archives Advisory Committee is that it provides regular contact among the film archives' staffs to discuss pending acquisitions. This avoids conflict and duplication of effort and permits new acquisitions to go to the institution best suited for a given collection. Competition with private individuals cannot be avoided, and our solution is to establish and maintain good relations with all individuals involved in acquiring films so that we know what's happening in the field. We try also to copy films as they pass from collector to collector.

There are a number of film dealers who specialize in selling to collectors new copies of old films, generally those in the public domain, in super-8mm and 16mm formats. While AFI does not commercially exploit the films that it acquires, we do encourage wide availability of films. Hence we have worked out arrangements with film dealers who acquire nitrate films to trade materials we hold that are free of copyright for films they acquire for their own purposes. Since these dealers cannot use films protected by copyright, they often turn leads over to us, and the working arrangement has been quite satisfactory.

An example of this is the case of the first feature directed by Raoul Walsh in 1915. A beautiful print was located by a collector in a coal bin in a movie theater that was being torn down in Montana. The collector approached the original producing company, one of the TV networks, two film dealers, and three archives, including AFI, to see who would give him the best cash offer. After a lengthy period of wheeling and dealing it turned out that only AFI, the Museum of Modern Art, and one of the film dealers was interested in buying the film. The film dealer was prepared to pay considerably more than either MOMA or the AFI. The Museum of Modern Art has a substantial number of films made by Fox which were directed by Walsh; hence the logical home for the film was at the museum. Therefore AFI worked out an arrangement whereby the dealer bought the nitrate print from the collector, copied it for the dealer's commercial purposes, and then donated the original nitrate to the museum for archival preservation.

### Films That Got Away

Perhaps the saddest letters we receive come from collectors with whom we have been corresponding and negotiating for several years, who one day check a film's condition and then report to us that part of the film has turned into dust, powder, or goo. This happens more often than we would like and continues to remind us of the race with time that we are running. Fortunately, we usually only lose a reel or two of the film in this way, and such an occurrence prompts the collector to believe our warnings about deterioration and give us his other films before it is too late.

We try to ship film by air for speed and safety, and since a 35mm feature length film can weigh

forty to fifty pounds, shipping costs can easily be fifty dollars or more. This is a substantial amount of money for a private collector, and our policy is to pay these shipping costs. We have had difficulties with shippers nervous about handling flammable nitrate but have had no problems overall. We do have to give elaborate instructions to collectors for film shipping and also have to make sure that we and the collector know what kind of film is being shipped. It is surprising how often a donor cannot tell the difference between the most common gauges encountered: 8mm, 9.5mm, 16mm, 17.5mm, 22mm, 28mm, and 35mm.

In twelve years, only one film has ever been lost in transit. The collector involved carefully packed a 1928 silent feature in a standard ICC metal shipping container and sent it by United Parcel Service, a very reliable shipper. The film never arrived, perhaps because he wrote the name of the film on the outside of the case: *The Truth About Sex*, an early exploitation/educational film. We can imagine the surprise when the person ending up with the film discovered that it was not a modern color hard-core sex picture and only hope that the film has somehow found its way back into the hands of a private film collector who will contact us someday.

*Lewis Stone and German actor Emil Jannings in a scene from* The Patriot, *an important 1928 Paramount production directed by Ernst Lubitsch that is considered lost. The Museum of Modern Art, Film Stills Archive.*

*John McCormack (center) with Maureen O'Sullivan in a scene from* Song 'O My Heart, *a Fox Movietone "talking, singing romance." Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*

and other entrepreneurs who had developed the sound film persisted in viewing it as a poor man's Metropolitan Opera or variety bill, as a supplement to live theater rather than as a successor to the silent feature.

A slight desperation may be evident in a film made of the Czech soprano Emmy Destinn while she sang in a cage with fourteen lions. It would indicate that, for the sound film, the photographing of singing alone was no longer enough to hold audiences. Neither was Vitaphone's use of early two-color Technicolor—"natural color with all the beauty of nature's own coloring"—for the "Habañera" from *Carmen* sung by soprano Alice Gentle.

### Stories for the Silver Screen

The success of Al Jolson in *The Jazz Singer* proved that the audience wished to empathize with a hero or heroine and preferred its musical interludes imbedded in a dramatic story line. So within a year, story films were appearing as vehicles for such internationally known tenors as Richard Tauber in Europe and John McCormack in the United States, although infrequent Vitaphone-like operatic shorts continued to be made in Britain and Germany by Tauber, McCormack, or Alfred Piccaver.

McCormack, after Caruso the most famous tenor of his time, made his feature film debut in *Song 'O My Heart* (1930), a 70mm production with a sound track technically advanced for its time. A sentimental narrative allowed for a baker's dozen of his solos, which filled more than half of the film's length. An oratorio aria and an Italian romanza were omitted from the domestic release version. Remaining were the homey ditties and sentimental Irish songs in which his perfect diction and artistry were equally effective, songs which had been chosen by polling the readership of a film fan magazine: "Rose of Tralee" and "I Hear You Calling Me." During realistic moments of dialogue, McCormack would pick up a little book containing the lyrics to his upcoming song, as if he were not in a movie but in a recital—which, basically, he was. The disappointing box office for the film convinced Hollywood that McCormack did not possess sex appeal. Later, an aging McCormack was stuck rather abruptly into Britain's first full-color feature, *Wings of the Morning* (1937), to sing three indifferently recorded Irish songs in a house party scene.

Another universally loved tenor fared better. Richard Tauber, who possessed an exhuberant personality as well as a celebrated voice, appeared frequently in films from 1930 until a few years before his death in the late forties.

*The Jazz Singer* reached Germany as the monocled Tauber was at the height of his career; his phonograph records had proved that his voice was exceptionally well-suited to the microphone. Although his illness delayed the completion of his first sound film until 1930, it was still the first 100 percent sound film made in Germany. Titled *Ich glaub' nie mehr an eine Frau* (I'll never believe in a woman again) after a song composed by Tauber which he sang in the film, it was also known as *Song of the Streets* because of its plot: a returning sailor (Tauber) takes up with a girl of the streets, then becomes completely disillusioned when he finds she is his long-lost sister. Tauber realized the shortcomings of his first film, but he was enthusiastic about the future of sound motion pictures.

In his second film, *The Shining Goal (Das Lockende Ziel),* Tauber is an amiable fellow from a quaint village. When Tauber regales the locals in the *gasthaus* with a folk ditty about "a linden tree that stands at the well by the gate," his consummate vocal technique is discovered by a dining impresario.

Later in the choir loft of the little Bavarian church he sings a familiar anthem before he is tempted to the big city for an opera career. There he sings Schumann at a rehearsal piano, Schubert at his opera audition. For his opera debut in *Martha,* we hear nothing more taxing than "The Last Rose of Summer" and "M'appari." The latter is introduced by an elderly character actor, seated before a console radio which is bringing in a broadcast of the opera performance in the city back to the village. He manipulates the volume control and tuning knobs without apparent effect on the volume of the music, and then, according to the subtitles, admonishes the others gathered around the radio with "Listen! Now he sings the great aria." ("M'appari")

Tauber sings everything from lieder to tangos. The acting is assigned to the other members of the cast. The audience has experienced a satisfactory combination opera/concert/travelogue packaged in a bittersweet operetta plot.

The Tauber film was made without using the technique of mouthing to a playback of a recording made before filming—every throat-clearing and late entrance in the music is dutifully recorded, and the singing sequences exhibit a spontaneity lacking in the rest of the film.

Inadequate lighting causes Tauber's tongue and the inside of his mouth to disappear. There is only a black hole which seems to open in his face as it would in that of an early animated cartoon character. But the primitive filmmaking cannot obscure the beauty of Tauber's tone or his peerless interpretations.

A third tenor launched in films in 1930 was Jan Kiepura, whose irrepressible compulsion to perform won him the appellation of "the Polish ham." Kiepura made his film debut in *The Singing City,* a British-German coproduction filmed in three languages. "When Kiepura performed in a fishing boat with a panorama of Naples behind him," a droll Siegfried Kracauer noted, "everyone was forcibly overwhelmed by such a blend of beauties."

For the next two decades Kiepura performed with a zest bordering on the manic in films in which his vocal numbers dictated the narrative structures. He impersonated taxi drivers, fishermen, or gondoliers who sang opera—rarely an opera singer. It was a tradition which would be followed in the Soviet Union, where the Bolshoi lyric tenor Sergei Lemeshev played a taxi driver in a 1941 film, and in Hollywood, where tenor Mario Lanza impersonated truck drivers and fishermen who just happened to be up in the operatic repertory.

German and Austrian film producers decided early that a proper use of the new sound film was the revival of the waning world of operetta: a darkly beautiful Czech soprano named Jarmila Novotna appeared in the films of Lehar's *Frasquita,* Millöcker's *Der Bettelstudent,* Smetana's *Bartered Bride.*

Audiences were offered cinema odes to a picturesque Old Vienna which may never have existed: glamorous seamstresses possessing accomplished coloratura techniques who were Bavarian princesses in disguise waltzed with humble, handsome lieutenants who were crown princes traveling incognito. Casually unhistorical scenarios detailed an ill-fated romance between Hans Christian Andersen and Jenny Lind or between Franz Schubert (impersonated by Tauber) and Baron Esterhazy's daughter (played by soprano Marta Eggerth, who was Mrs. Kiepura). Benevolent archdukes courted tempestuous gypsy girls with Viennese songs less than he had hoped for and expected; but when told he will be paid between films, as a regular member of the company, he is delighted.

The following day is Sunday, and a day off. "The *Telegraph* had an item *re* myself being with DWG which was written in by Maimie & headed 'The Faithful Wife.'" (1/14/23) On Monday Snitch buys a suit.

The film on which they have been working, *The White Rose,* is to have four cameramen for the location work in the New Orleans area: Henrik Sartov, Billy Bitzer, Hal Sintzenich, and Frank Diem. The situation seems to keep them all on edge, basking in the master's occasional praise. Griffith apparently tries to dole this out evenhandedly, but in a way that must unnerve others. During work at New Iberia, Snitch writes with apparent pleasure: "They had been working already four days on the location when Mr. Griffith asked me if I could [do] any better setup than the one they were using. Took a tour around & set up in the opposite direction & when Mr. Griffith saw it he called Mr. Bitzer & Mr. Sartov & told them that I had found a far better way than any they had used." (2/14/23)[18]

Bits of praise sometimes come indirectly via Carol Dempster. During work on *America* Snitch notes: "Miss Dempster told me she saw a lot of the film run off last night & said I had a number of beautiful shots, complimenting me on them." She tells him DWG was pleased with them.[19]

The rivalry between cameramen sometimes involved lighting. Snitch at first admired Sartov but eventually got exasperated with Sartov's "backlighting everything." He also objected to Sartov's determination to mix sunlight with artificial light. *Isn't Life Wonderful?,* a film about Germany during its runaway inflation, was shot partly on location there. A scene of "Hans & Inga drawing the cart & being stopped & questioned by a gang of hungry ruffians" was shot on a sunny day in woods near Potsdam. Sartov called for "lights to travel with the camera. I could not stand that hokum any longer so let out." Snitch considered reflectors not only adequate but preferable. He apparently lost the debate. "Worked all day in beautiful weather, but I by no means liked the camera shots picked by the Governor. . . ." A week later the diary entries are still agitating the matter. "Some day somebody is going to wake up and maybe it will be me." (8/18/24)

Snitch is condescending toward Billy Bitzer in matters of lighting. During work on a Lionel Barrymore scene for *America,* "Billy fooled about with the lights not knowing what he was doing half the time & it was after 1 o'clock as usual before we started shooting." (12/19/23) Several passages suggest an edginess toward Bitzer. "Tried to get the $15 Billy owed me but as expected was out of luck." (3/1/24) Later Bitzer tries to sell him a "number board." (11/4/25)

A Griffith habit illuminated by the diaries is the continuation of shooting long after initial showings. *The White Rose* was shown in New London, Connecticut, and Montclair, New Jersey, in mid-May 1923, after which there was much reshooting and a complete revision of the ending. The New York premiere was on May 22 at the Lyric Theatre but two days later Snitch was shooting retakes of Ivor Novello including "one at the cigar counter & one in Ball Room." (5/24/23) On some of the later pictures this process went on for weeks.

On February 10, 1924, Snitch mentions a showing of *America* in South Norwalk, Connecticut. On the same day he is shooting scenes for its Valley Forge sequence in nearby Westchester, impelled by the arrival of ideal blizzard weather for "the men in bare feet in the snow trying to pull the big wagon." (2/10/24) The Battle of Princeton is shot the following day, in time to be included four days later in a showing in Danbury, Connecticut, when Snitch is shooting Washington's inauguration. Two days later they are remaking "the stockade scenes." On the day of the New York premiere, February 21, Snitch is still doing close-ups of Carol Dempster, and during the following week does retakes of "Miss Dempster & Hamilton" and new "stockade scenes with 30 extras."

The diary passages dealing with *America* provide glimpses of Griffith as an organizer of massive action. Most of the film was shot in Westchester County, although "inserts" were later taken at landmarks in Boston, Washington, and elsewhere. Major photography began on August 23, 1923, and continued at a backbreaking pace. Snitch apparently shuttled between second-unit comedy sequences directed by a Mr.

Noble and spectacle shots directed by Griffith himself. "Over at the studio by 9:30. Worked in the studio with Mr. Noble until noon when Mr. Griffith sent for me on location. Worked with him all afternoon taking Paul Revere's ride." They try to get the horse to jump over a creek but fail. The day's entry concludes: "Understand Mr. Noble had a poor time with his colored people & the water stuff, the women refusing to go under in the baptismal scenes." (9/2/23)

Much battle action was filmed in the wooded hills around Brewster and Somers, Westchester County, New York, where hundreds of extras were assembled. "Most of the extras are housed in barns & tents, about 30 cots to a tent, and the mess tent accommodating one half while the hotel dining room the other. The whole Co. is run like a military camp." A National Guard unit and state police help out. A bugle blows "reveille" at 6 A.M. and "mess" at 6:45 A.M. Location work is scheduled for 7:30 A.M. (9/20/23)

During an "attack on the stockade by Indians & British soldiers & the burning of the buildings," thirteen cameramen grind simultaneously. (9/24/23) We gather that Pathé newsreel cameramen sometimes join them to cover large actions. A battle sequence involving 500 extras takes a whole day to prepare. "We eventually took the battle scene about 5 o'clock & had to retake it as the Colonials used the wrong flag." (9/25/23) On a later day a gunner's hand is blown off by a premature explosion. (10/2/23)

One day Griffith summons Snitch to help plan camera deployment for a battle sequence. Griffith is mounted, while Snitch trots along on foot; in this fashion they cover several miles. Snitch's reaction to the episode is satisfaction that he was able to keep up with Griffith. (9/21/23)

Snitch and others have bouts with flu but the work continues at a grueling pace, seven days a week, often until midnight. Occasionally Snitch misses his last train and sleeps in a studio dressing room. A few times Griffith sends him home in his limousine.

A Sunday entry: "Worked hard until after midnight when the crowd went home but Mr. G. asked me to stay & work in the 'White House' in case Sartov caved in, as he was sick." Snitch gets home at 2 A.M. (2/17/24) The following day they do Valley Forge close-ups, scenes at Washington's headquarters, and other shots. "I took the last close-up with Miss Dempster at 1 A.M. Mr. Sutch made inserts with Billy Bitzer and Joe. When we finished the Governor told us we could 'go to the movies' but not to stay out late." (2/18/24)

The New York premiere is three days later; Maimie buys a new gown for the occasion. The diary summarizes reactions: "The first half was tremendously received, but the crowd was evidently disappointed with the second." (2/21/24) A few critics considered it a Griffith masterpiece, particularly in its battle sequences. But there was criticism of the long explanatory subtitles. And there was no stampede to the box office.

The most poignant aspects of the diaries on the Griffith years are the gradual unfolding of his financial situation and the erosion of his standing in the industry. We see him still getting worshipful attention, but the ground is clearly crumbling under his feet.

After completion of *The White Rose*, Sintzenich is surprised to receive notice that he will be laid off until the next film. He points out to Griffith that he was promised payment between pictures, and that his salary—$175 a week—was predicated on this. Griffith seems troubled, says he does not wish to lose Sintzenich, and that "I would be kept on salary between pictures." (6/2/23) On the strength of this assurance, the Sintzeniches move from Englewood to an apartment in Pelham, not far from the Griffith studio.

But Griffith, deeply in debt and carrying a huge studio overhead, needs a success on the scale of *The Birth of a Nation*—or at least of *Way Down East*—to stay afloat, and his staff becomes painfully aware of this. Toward the end of the work on *America* they are asked to hold their checks "until after the end of the picture, so as to help Mr. Griffith with his terrific expenses." (12/19/23) At the time of the premiere, the studio is also four weeks in arrears in the issuing of salary checks. The mixed reaction at the premiere becomes doubly ominous. A week later Snitch is asked to come to the office, and is told they are "shutting down & would have to dispense with my services until the next picture." Snitch is not surprised. The diary even

*Later Wolo plays for her*

*and she dances.*

*Wolo waits outside*

*while Anjuta prepares to audition for a ballet school.*

years they sat on shelves uncared for, as these fragments of movies seemed to have very little value. Eventually the packets were put into envelopes, and the envelopes into boxes which were transferred from the Copyright Office to the motion picture collections. Occasionally someone examined them, but mostly the envelopes were never opened again. The rubber bands dried up and broke. As long as the envelopes were left untouched, this did not matter. But as soon as they were opened, all the frames in the envelope got mixed up. All chronological order was lost and the only certainty remaining was that the frames in one envelope came from the same film. However, sometimes the unknown examiners of the material handled the contents of the envelopes very carelessly and placed the frames from two, and once even from three different films into the same envelope.

So, first I identified the frames from each film and arranged them in what at that initial stage I thought to be the proper sequence. There were more than one hundred frames from each of seven films; the greatest number of frames from one film was 148. They were all very small and fragile.

The unopened envelopes had stuck together, even though the rubber bands had rotted away. Chemical influences had affected the prints, often pasting them together. Whether or not to separate these, which would mean damaging other prints, was always a matter for careful judgment.

If the envelopes had been opened for inspection and air had penetrated, the chemical destruction had been retarded, but with the air came dust, so these prints were dirty as well as scrambled.

The copyright material had been assigned no special designation by the Library. In order to distinguish it in an unmistakable way from all other illustrative material, such as stills or production photos, I called them "copyright frame prints" (CFP). I suggested this designation to John Kuiper, the head of what was at that time the Motion Picture Section, and he agreed to it.

It took me more than four years to restore, photograph, copy, and organize the 2,238 frames. Many times I despaired, and sometimes I stopped working with the frames for several months. However, by paying painstaking attention to trivial and sometimes boring details I established a scientifically reliable method for reconstructing the structure of these silent films. In retrospect my method may not seem very surprising, but here it is.

You must collect all the background information available for the film in question. Not only general knowledge, but specifics about production methods and the ways in which a story was told in film at that time. Without this information sooner or later you will find that you are groping blindly. Also, you must learn to operate with working hypotheses and theories; you must not expect to reach a final conclusion at once. Realize that your first, second, and maybe even third theory may be wrong. For that reason, choose a very flexible working hypothesis.

Open the envelope containing the frames very carefully, paying close attention to the position of the frames in the envelope. This is most important, especially if the envelope has never been opened before. Even if the rubber bands have eroded, the frames may still be in their original order.

Some of the frames in the envelope may be damaged or broken, especially if the envelope has been opened before. Look for other frames which are damaged or broken in the same way. These patterns may prove to be very valuable in identifying the original order of the frames.

Immediately place a registration number (CFP) on the back of each frame, place it in a plastic or cellophane envelope, and write the same number on the envelope. Make a note of which numbers do follow each other (if you are certain), which numbers may follow each other, and which do not follow each other.

The last frame in each packet corresponds to the last reel frame and is always stamped with the Library's date of receipt. If the film is in three parts or reels, there will be three stamped frames, one of which must be the very last frame in the film.

Never change your first numerical sequence, even though you may think you have discovered the correct relationship between the frames. On the chance that some of the frames were lying in the envelope in the right order, you should always retain your original numbers.

By the way, never take any of this material

*Anjuta becomes a ballet dancer, with the assistance of wealthy Count Orsky.*

*Her debut is a great success.*

*In the meantime Wolo, who has been studying abroad, has become a famous violinist.*

*Because of Count Orsky's intervention and deception, Anjuta has not heard from Wolo for years, believes he has married, and marries Count Orsky. Wolo is among the musicians who entertain at her home one night. She faints when she recognizes Wolo.*

*A fishing scene being filmed for Robert Flaherty's* Nanook of the North *(1922). Courtesy of the Museum of Modern Art, Film Stills Archive.*

how make it the basis for a good, reconstructed negative.

So much of the film is white on white that the dirty abrasions interfered impossibly with the underlying image quality. Also, from time to time horizontal flashes appeared across the picture. These were patches, or splices from the original worn print. The missing footage consisted primarily of short fragments which would have to be pieced in from other sources. In our first test, the image was steady and sharp. Rewashing the old print in water eliminated some dirt from the abrasions and made the old emulsion swell, sealing some scratches and considerably enhancing the appearance of our next test. But in preserving the old full aperture image area, we were not accounting for the sound track portion cropped by modern projectors and printers, nor were we providing a means to totally conceal the splices and patches. Our restored *Nanook* would have been visually off center, with Flaherty's compositions the victim.

We decided to optically adjust the image to sound, or "Academy," aperture, using an optical printer built from an old projector mechanism capable of transporting the shrunken print with its small perforations. To this projector we added a "wet gate"—the trade name for a process which immerses the film in a liquid with the same refractive index as the film base itself.

*Nanook, played by Allakariallak, being introduced to the joys of recorded sound by Bob Stewart, in* Nanook of the North. *Courtesy of the Museum of Modern Art, Film Stills Archive.*

Scratches were cleaned out and filled up by the liquid and, except in extreme cases, the abrasions did not show up in the rephotographed image. The Academy aperture also provided us with a wide frame line to conceal splices that would have been visible on the screen in a full aperture copy.

After the new negative was made and a print taken from it, an assistant editor examined the film frame by frame, very slowly, on an editing machine. Every frame which showed a blemish was removed—some twelve hundred frames in all. We discovered that unless the trajectory of an extremely fast action was interrupted, the removal of a single frame was not noticeable on the screen.

Another 1922 print was brought from Belgium. This one was ghastly, with insert titles in Flemish and Walloon, but we were able to glean a few shots which were choppy in, or missing from, our basic negative. Robert Flaherty's own print was then combed and every shot which was longer or smoother than whatever we had already assembled was copied and cut in. In a few cases we pieced out single shots with short lengths from all three prints.

The original titles in *Nanook* were hand-lettered with painted backgrounds which we wanted to preserve. Unfortunately, many of them had lost so much footage that they were too short to read, but even the few remaining

*After the initial release of theatrical motion pictures, distribution prints are normally junked. This is to save storage costs, to prevent unauthorized pirating of the films themselves, and to recover the silver in the photographic emulsion. Since many of the remaining negatives subsequently were lost through deterioration or fire, this practice is partly responsible for the loss of almost 80 percent of the feature films made in the twenties. This photograph dates from 1922. The approximate value of the silver in the films shown was seventy-five dollars. AFI stills collection.*

Furthermore, vast amounts of acetate-base color film are piling up in archives which, due to the transient nature of color dyes, are rapidly becoming as critical a problem as nitrate film. And the archival preservation of television programs has scarcely begun.

Before the introduction of triacetate film, each generation of archivists was forced to reprint each film it wished to preserve. After 1951, even though a rather permanent film base had been invented, the archivists in this country were frustrated by a lack of funds. This is the heart of the matter. The technology for proper archival preservation of black and white nitrate base films has existed since 1951. What has been lacking is a general awareness of the value of preserving our film heritage and funds to support the effort.

### The American Film Institute

The American Film Institute was created in 1967 by the National Foundation on the Arts and Humanities as a private, nonprofit, nongovernmental institution to serve the public interest. The AFI is a national organization whose aim is to foster the art and preserve the heritage of film and television in America. The 1967 statement of purpose at the founding of AFI reads:

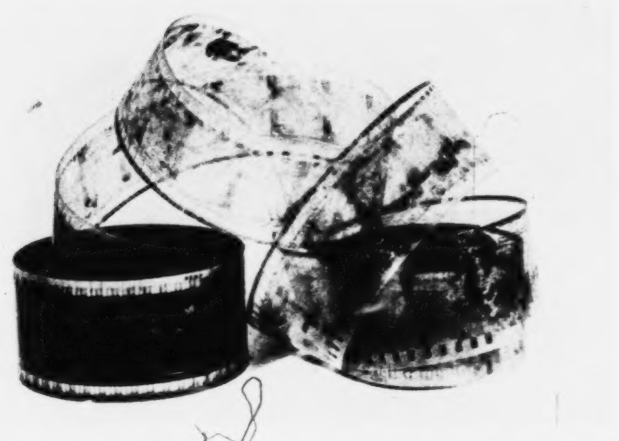
> Preservation and cataloging of films is a task which lies at the heart of the Film Institute's purpose. It is as important to conserve as to create, and the founders wish emphatically to bring attention, as others have before, to the necessity of preserving this nation's film heritage. This is a complex task and The American Film Institute expects to serve as a focal point for coordination and leadership, and will work with several organizations which are already involved in the field and will seek the cooperation of America's eminent archivists. The American Film Institute does not expect to create its own archives; rather, it will be prepared to coordinate and stimulate the activities of regional and private institutions.

### The Library of Congress and the AFI

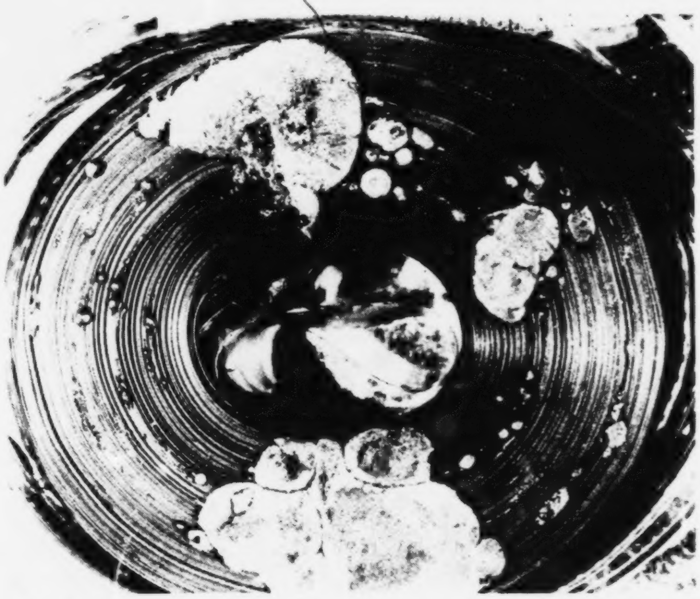
The initial statement of AFI purpose was and continues to be the guiding policy of the AFI Archives program. To fulfill this mandate, the AFI entered into a collaborative agreement with the Library of Congress in the summer of 1968. Under this agreement, the Library was to expand its established programs to acquire, preserve, and retain motion pictures for the National Collection of Motion Pictures. The AFI, in turn, allocated funds (which totaled $345,000 through 1972) to the Library in support of these activities. The Library assumed the principal responsibilities for inspecting, handling, cataloging, preserving, and storing the films and for providing reference services for scholars studying motion pictures located there. The AFI assumed the principal responsibility for an international "search and rescue" mission, to find the best surviving copies of important motion pictures not then held in the collections of the Library or in other archives in this country. Since some overlapping of these functions was inevitable, close collaboration between staff members of AFI and the Library was necessary to avoid duplication of effort.

The collaborative agreement between the Library and the AFI provides the formal basis for this ongoing relationship. It has permitted the evolution of practical working arrangements whereby each institution does what it is best suited to do. This is a complementary relationship, where the domain of each party is flexible and shifts with the problem at hand. Thus, while AFI generally handles the bulk of retrospective acquisitions, occasionally there are arrangements which can be completed most efficiently by the Library, and these are turned over to the Library's Exchange and Gift Division. The Library does not at present maintain a public exhibition program, but the regularly scheduled "Films From the Archives" series at the AFI Theater in the John F. Kennedy Center draws heavily upon films preserved at the Library. This facility also is used on a bimonthly basis for quality control screenings, since the Library does not now have a high-quality large-screen facility. In short, the AFI-Library arrangement has enabled the two institutions to do much more than either could have done separately, and the record is one in which both institutions can take pride.

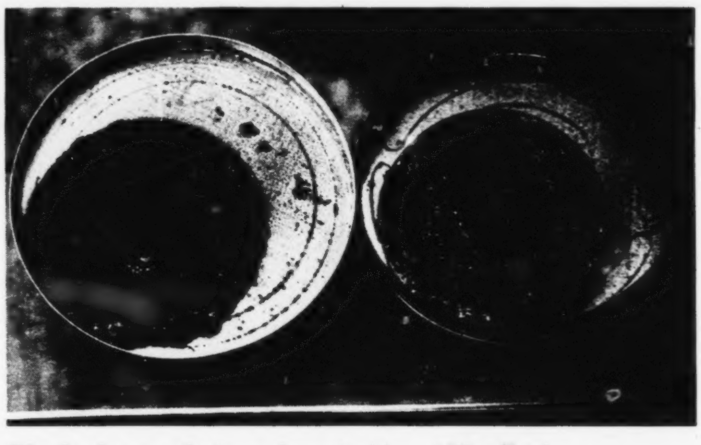
Other activites of the American Film Institute include a cataloging project that provides essential data on motion pictures released in the United States, a national education and information service, publications such as *American Film,* a repertory film theater located in the John F. Kennedy Center for the Performing Arts, and, in California, an advanced conservatory for professional training of filmmakers and a program providing grants to independent filmmakers. In addition to its functions of coordinating the national preservation effort, the two activities in which the AFI Archives pro-



*Second stage of nitrate decomposition, where the image has disappeared and the film has become sticky near the center of the roll. Photograph by the Eastman Kodak Company.*



*Third stage of nitrate decomposition, where the rolls of film have soft, bubbly portions, contain gas bubbles, and have a noticeable odor. Part of this reel can still be saved. Photograph courtesy of the Museum of Modern Art Film Library.*



*The final stage of nitrate decomposition. AFI collection.*

*Nazimova as Salome, in the 1922 film. The extraordinary sets and costumes were designed by Natacha Rambova. The Museum of Modern Art, Film Stills Archive.*

Some films that get away eventually turn up elsewhere. In 1973, we were negotiating with a collector in California who had the only known print of *Hell's House,* a 1932 Bette Davis feature, made as an independent production. We were unable to reach a satisfactory price with the owner and had to pass up the film. In 1977 Davis received the AFI Life Achievement Award, and we pledged our efforts to see that all of her films were preserved in U.S. film archives. At that point, we tried to contact the owner again, only to find that he had vanished from sight. Then last year Paul Spehr in the Motion Picture Division received a phone call from a New York distributor who wanted to know the copyright status of a Chaplin film which he owned. When the AFI motion picture archivist subsequently visited this gentleman to discuss acquisitions, she found that he had had a nitrate print of *Hell's House* stored away with his Chaplin material. Naturally, we promptly completed arrangements for the acquisition and preservation of both films.

One horror story involves the Hammond Museum, which maintained a large nitrate collection in a vault built into a cliff overlooking the ocean at Cape Cod. When this vault was visited by an AFI staff member, he found that the corrosive air had turned all of the films to jelly, except for a single print of Nazimova's 1922 version of *Salome.* That print had been screened at the Museum of Modern Art twenty years earlier and was returned to the Hammond Museum in a standard ICC metal shipping container. Fortunately, the film had never been taken out of the container and had been protected from the air.

### Getting the Word Out

Perhaps the most nagging worry in our operation is the concern over missed leads, lost opportunities, and the collection that was right under our noses but which we didn't find. The experience of the Rhode Island Historical Society Film Archive is a perfect example. In 1969, my wife Kathleen and I established the first state-oriented film archives at the society and spent three years scouring the state for film materials relating to its history. We turned up considerable material of local interest but also kept finding films made throughout the United States, and these were turned over to the Library, including the only known print of *Puss in Boots,* a 1922 Walt Disney cartoon made in Kansas City.

This cartoon turned up in a corrugated box factory, a leftover from a company distributing films to schools and churches in Providence in the early 20s. We found this collection after the publication of a feature article written on the work of the society and the past history of filmmaking in Rhode Island. By the time I left Rhode Island for the AFI Archives in 1971, I was certain there was nothing of interest left untouched in the state. But years later, our successors located an even bigger and more important cache of films—original negatives of feature films made in California, many of which were directed by Henry King. These had been languishing in a warehouse in Rhode Island and were located through another round of local newspaper stories on the work of the historical society. Perhaps the owner missed the first stories in 1971, or perhaps he needed a reminder several years later. We will never know, but it does show the need for a continued publicity campaign, repeating basically the same message: give us your old, your tired, your worn-out films.

In 1972, I wrote an article for the *IATSE Bulletin,* which goes to all union projectionists, giving a brief description of our preservation program and a very detailed overview of the problems of nitrate deterioration and fires. This appeal for holders of nitrate film to come forward uncovered seventeen projectionists with private collections. Since that time, we have distributed over seven thousand reprints of this article, and it is still our basic informational tool.

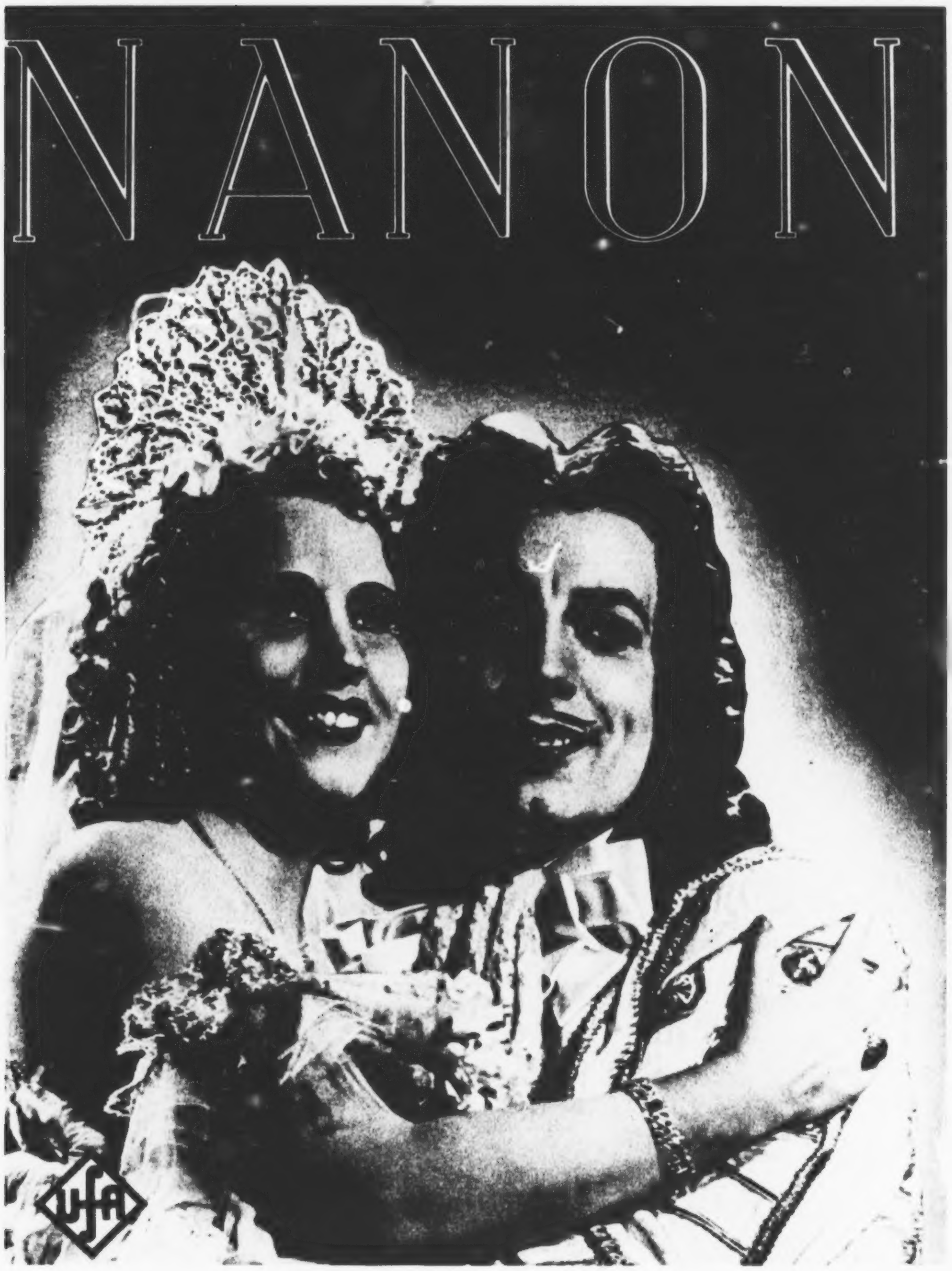
We subscribe to all of the film collector magazines and scan the ads religiously, looking for clues to film collections such as a person seeking spare parts for a silent Simplex 35mm movie projector. Our motion picture archivist writes a column for one of these magazines and attends collector conventions in order to establish face-to-face relationships and to continue to widen the circle of collectors who know of us and our work and are on the lookout for old film. A classified ad asking for nitrate film in *American Film,* now in its fifth year, has produced several interesting responses. The magazine carries occasional articles on film preservation, which we hope will spread the word. Several of the mass mailing campaigns, which involve a million or more pieces of literature soliciting membership in AFI, have included a "lift letter" which carries a picture of deteriorating nitrate film and a message to help AFI in its preservation efforts by becoming a member. To make the point absolutely clear, there is a postscript asking anyone with old film, especially nitrate, to contact our motion picture archivist. While the response has not been overwhelming and we get a lot of inquiries about 8mm home movies, it does reach a broad potential audience that may encounter old film.

We have recently tried classified ads in mass circulation publications such as the *National Star* and have a brief filler item planted in suburban newspapers, but the clear results are difficult to determine. The problem is to motivate the collector to write or call us to let us learn about his collection.

As far as we can determine, our best source of information is word of mouth from collector to collector. Whenever we encounter a collection of nitrate, we ask the owner for the names of other 35mm collectors and where he obtained his films, since it is possible that his source still has additional films. So, in large part, getting the word back from the field is mostly a waiting game.

Since the 1968 agreement between the Library of Congress and the American Film Institute, the state of American film preservation has been encouraging:

1. By the end of 1979, over fifteen thousand titles have been added to the AFI Collection at the Library.
2. The Library has established a professional motion picture laboratory specializing in the transfer of nitrate film to modern acetate or safety film. By the end of 1978, over twenty-seven million feet of nitrate film had been preserved. It is anticipated that by the end of 1980, the Library will have a new, larger, specialized laboratory built at Wright-Patterson Air Force Base which will be capable of transferring more than twenty million feet of nitrate per year, more than triple the present capability.
3. With additional funding from the National Endowment for the Arts, over $1,400,000 has been provided by the AFI in support of the Library's preservation activities.
4. During the period from 1968 to 1978, the Library's total annual expenditures for motion



*Erna Sack and Johannes Heesters on the cover of a promotional brochure for* Nanon, *from the German film company Ufa. Motion Picture, Broadcasting and Recorded Sound Division, Library of Congress.*

written by composers from Budapest or Berlin in movies as likely to have been filmed in Munich or Prague as in Vienna. They starred bilingual leads and two different supporting casts, one speaking German, the other speaking English.

In the United States the first cycle of sound films included filmed stage operettas such as Romberg's *New Moon,* which employed opera singers Lawrence Tibbett and Grace Moore to no great advantage. Arias from the standard repertory were interpolated into film musicals to show off the singing star's specialty. *Nanon* and *Flowers from Nice* featured the blonde soprano Erna Sack, "The German Nightingale," famous for her high G and coloratura vocal acrobatics. In *Balalaika,* baritone Nelson Eddy sang not only the title tango from the stage operetta and other operettish solos but also bits of *Carmen,* "The Volga Boatmen," and "Silent Night." It would be difficult for film audiences not already familiar with an opera to understand any dramatic context for the operatic fragments as presented in these films. It was often like seeing your phonograph records of isolated arias brought to life in those pre-LP, two-sided 78 rpm days.

**From Humble Beginnings...**

An endlessly repeated plot followed the vicissitudes of a modest but talented singer from humble beginnings to a triumphant debut on the opera stage. Typical was *Her Greatest Success* (1934), in which an eighteenth-century laundress, Teresa Krones (played by Marta Eggerth) rises to opera idol, singing on the average of once every ten minutes.

This plot was used most successfully in a contemporary version of a comedy-romance *One Night of Love* (1934), which launched the operatic film cycle of the mid-thirties. Its star, Grace Moore, had achieved some success at the Metropolitan and in Broadway operetta and revue and had made early musical films, in one of which (deviously titled *A Lady's Morals*) she had portrayed the legendary opera singer Jenny Lind. Moore was later to note in her autobiography that movie moguls assumed that because a singer was trained in singing she was also proficient in film acting and dancing. Grace Moore appeared at her best in *One Night of Love,* whose director, a former operetta composer named Victor Schertzinger, emphasized her sense of humor and appealing personality.

*Grace Moore and Lyle Talbot in* One Night of Love. *Copyright © Columbia Pictures Corporation. Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*

expresses appreciation for "the manner in which it was done." (2/29/24)

Three months later he hears that Griffith has chosen him to go to Germany on a new film, eventually titled *Isn't Life Wonderful?* A deal with Adolf Zukor of Paramount—it has been described as "an undercover deal"[20]—apparently made this project possible. But Griffith has mortgaged his future to Paramount to stave off disaster. Snitch is told he will get $175 a week while in Germany, but $200 thereafter. (6/30/24) As the company sails for Germany aboard the *S. S. George Washington,* Griffith seems in a good mood again, but on the return trip he is seldom seen, and the group is troubled. In Mamaroneck the work on *Isn't Life Wonderful?* is resumed, in sets built to match the German locations.

A diary entry records: "Received my cheque today but not the promised increase." (9/30/24) Snitch raises the question at the company office but gets evasive answers. As the shooting of *Isn't Life Wonderful?* is completed, Snitch again goes off the payroll, but is promised he will *positively* be on the next picture. (12/8/24)

But the final checks for *Isn't Life Wonderful?* are only partial payments, accompanied by promissory notes. Sintzenich has problems at the bank with Griffith's notes. At the bank a Mr. Hendricks tells him he wants "to investigate DW & asked me to fill out a form." (1/29/25)

But Griffith is again able to launch a new film—*Sally of the Sawdust,* with Carol Dempster, W. C. Fields, Alfred Lunt, and others—to be made for Paramount. Griffith's Mamaroneck studio is sold; the new film will be shot at the Paramount studios, with Griffith as a Paramount staff employee. When Snitch inquires about his own status, with a reminder that Griffith promised he would be on the film, Snitch is told: "Mr. Griffith has no right to make promises." (2/18/25)

Nevertheless Snitch gets an offer from Paramount—$150 a week. He is furious but accepts; he continues with Griffith both on *Sally of the Sawdust* and *That Royle Girl*—a story Griffith has tried to reject. (7/16/25) But the old aura is gone. Snitch quotes one of the Sintzenich boys, after a family visit to the studio: "Mr. Griffith is awfully quiet, he is always thinking of something else." (11/9/24)

With the completion of *That Royle Girl*—again with Carol Dempster and W. C. Fields—Snitch asks Griffith what he thinks will be next. "DW said he did not know whether there would be any next." (1/6/26)

Two weeks later Snitch writes in his diary: "Things are certainly dead & from all accounts, with several companies packing up and going to California, it looks bad for New York." (1/20/26) A few months later Snitch himself is heading west.

**Postscripts**

Snitch has heard that Lady Mac has married again, but it apparently has not worked out. During work on *Isn't Life Wonderful?* she calls Snitch and wants to see him. He visits her at the Netherland Hotel. She asks him to lend her $500, which Snitch feels unable to do. We presently learn that Mr. Frisbee has also remarried. He engages Snitch for a new task: to remove from *Heart of Africa* all scenes showing Lady Mackenzie.[21]

After *That Royle Girl* Snitch has a try at independent production, shooting a low-budget comedy short about a dog, titled *A Short Tail.* It wins him a contract for a series of such "novelty films" to be shot in Hollywood and released through Paramount. The first is well received—Snitch has the satisfaction of seeing it at Grauman's Egyptian Theatre—but on subsequent films Snitch disagrees with his backers and the project comes to a halt. Then Snitch falls ill and has major surgery, after which he is nursed back to health in Hollywood by none other than "Mother Carr" of *Over the Hill to the Poor House.* There is no mention of what has happened to Mr. Carr.

Returning to Maimie, Snitch gets an offer

*Sintzenich's diary entry for August 20, 1968, which reads in part: "About 2:30 Mrs. Garretson arrived with Mr. and Mrs. Erik Barnouw. He is with Columbia University Press. They live in Larchmont TE 4-8715. He is interested in the early movies and we had a long and very pleasant conversation. Mrs. Barnouw chatted with Mrs. Garretson and Maimie. He admired Cede's Indian Heads. He is sending me a book he wrote on India. . . ."*

*This meeting was when the present author first learned about the existence of the diaries, which eventually led to the Library acquiring them. Sintzenich Diaries, Manuscript Division, Library of Congress.*

## Tuesday, August 20, 1968

233rd day – 133 days to follow

Pelham N.Y.

A hot cloudy muggy day & still no rain. Spent the morning reading Ceram. Walked to the studio with Mimi. Drove back home to get Cede's lunch which I forgot. Attended the Lions luncheon & sat with Sam. Thanked him again for the dinner party. Returning, got biscuits for Mimi. Picked her up at the studio & we walked home together. Picked up the News on the way. About 2:30 Mrs Garretson arrived with Mr & Mrs Erik Barnouw. He is with Columbia University Press. They live in Larchmont TE 4-8715. He is interested in the early movies & we had a long & very pleasant conversation. Mrs Barnouw chatted with Mrs Garretson & Mimi. He admired Cede's Indian Heads. He is sending me a book he wrote on India. In the evening Cede had a bunch of Scouts in on business connected with the "Order of the Arrow".

Wolo goes to her balcony door that very night.

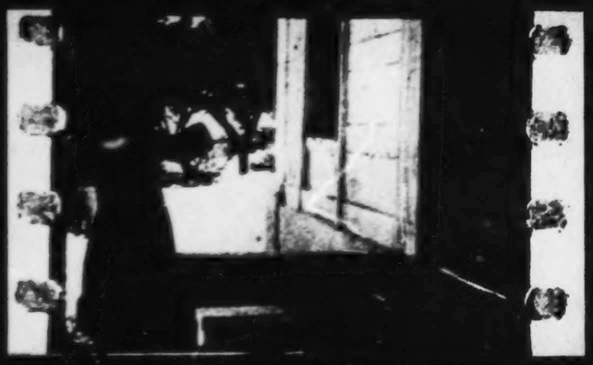
Although she is afraid of her husband

Anjuta succumbs to her emotions. She and Wolo plan to meet the next day.

Her husband (Richard Lund) hears everything, locks her up.

...and goes to meet Wolo himself.

They duel with pistols.



Anjuta arrives just as Count Orsky is wounded by Wolo.

The count recovers, agrees to a divorce, and permits the two lovers to be united finally.

with you on an airplane until you have opened the envelopes and numbered the frames. If your hand luggage is examined at the airport the material will become disarranged. Even though I had a letter from the Library, the airport officials said they had to check everything. This was the unfortunate experience I had at National Airport in Washington when I left with some newly acquired CFP material.

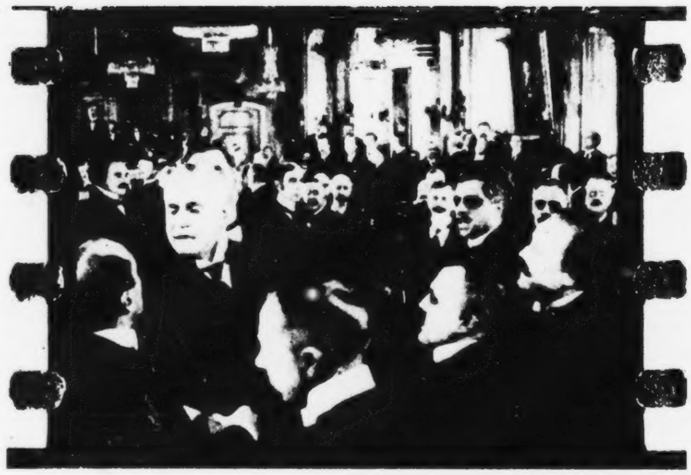
The next step is to photograph all the frames and print a working copy. I enlarged mine to 13 by 18 cm. Then put the original frames back in their plastic envelopes and do not touch them again unless it is absolutely necessary.

Now you are ready to start the identification work. For that you need all the available material about the film in question, such as a synopsis of the plot or a description of the film's contents, the list of titles, stills and reproductions from trade journals or newspapers, and all the production photos you can locate.

The stills can be a very important source because in the silent days they were made more carefully than today and they provide one with the leisure to study the details in a scene. The titles, of course, are part of the film and tell the story. But the stills are not part of the film. They do not tell you how the story was told; they tell you what the story was about. They are reflections of the scenes, the situations, and the dramatic highlights and conflicts. They sum up a situation in the story instead of showing you the evolution of the story in separate frames. By comparing stills from a few films by the same director you can also learn if he always worked in the same way. You can see how he usually composed his scenes and sequences; how he used close-ups, medium shots, and long shots; if he liked to open a scene with a long shot, a close-up, a landscape, many actors or a single one.

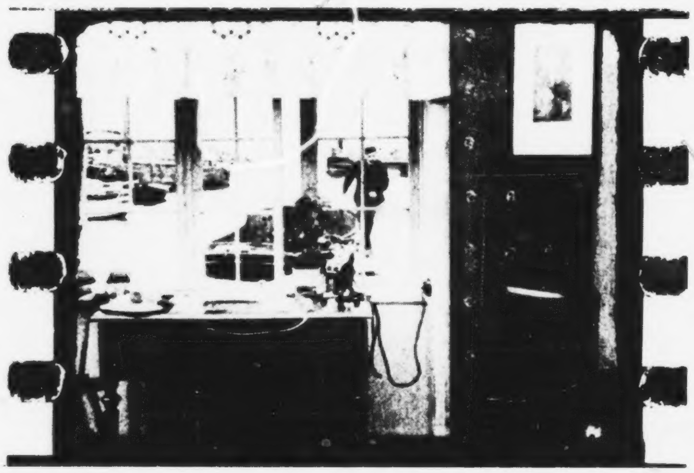
In pre-1920 films close-ups were very rare, as were landscapes devoid of actors. Actually, shots without actors were also very rare. Almost every shot included an actor involved in some obvious situation. The film told its story with pictures, but they were pictures of actors.

Many sequences begin with an actor entering the room and end with the main actor (not always the same one) leaving the set. In many frames you can see the tip of the toe of the entering actor or a door handle being opened,



*A scene from Mauritz Stiller's* Madame de Thèbes *(Svenska Biografteatern, Sweden, 1915). The scene was shot at the Swedish Academy, which awards the Nobel prizes.*

*Such a tight close-up as this was a rare occurrence in a 1916 American or European film. Here we see Victor Sjöström, looking through a keyhole in his* The Death Kiss *(Svenska Biografteatern, Sweden, 1916).*



*An indoor-outdoor shot taken on location at a fishing harbor on the Swedish west coast for Victor Sjöström's* The Sea Vultures *(Svenska Biografteatern, Sweden, 1915).*

*In 1918 D. W. Griffith recalled actors from* Intolerance *(1916), shot new scenes, and marketed two of the four stories as separate segments. This one was entitled "The Fall of Babylon" and shows the mountain girl (Constance Talmadge) warning Belshazzar (Elmer Clifton). Courtesy of the Museum of Modern Art, Film Stills Archive.*

blemishes would have made an arrested or frozen frame very unnatural and obvious. To circumvent this, we printed several lengths of each short title and spliced the negative strips together. At the same time, we observed that titles from which no footage had been lost were held on the screen too long for modern readers; these, therefore, were cut down.

The last elements to be compared were from the 1940s sound reissue version. We discovered that this had been totally reedited, and although several shots were missing, some scenes were included in it which did not exist in any of our silent versions. Evidently, some unused scenes had been preserved and added to the film as improvements. By carefully studying negative stock codes, frame-line positions, and shrinkage characteristics printed into the nitrate master material, we determined that these too had been taken by Flaherty, and I decided to put them in.

Obviously, in removing frames and adding new shots, in changing the length of titles, and in making other such embellishments, we altered the original text which is *Nanook*. However, other restorations of early films involve even more conjecture, as for instance, the Biograph productions directed by D. W. Griffith between 1908 and 1913, many of which do survive in original negative or master positive form. For reasons of print exposure and processing, the Biograph negatives were never assembled in scene order. Rather, most of the films have survived just as they were photographed, with scenes grouped according to camera setup, locations, and actors required. A number is written on the negative indicating the position of each shot in the final edited version. Every original Biograph print was physically spliced together shot for shot. In a few cases, title texts have survived among the Biograph business records at the Museum of Modern Art, and in other instances the title texts can be found in the paper copyright deposit prints in the Motion Picture, Broadcasting, and Recorded Sound Division at the Library of Congress. Frequently, the original titles could not be found, and in such cases I reconstructed new titles, using as a guide the detailed synopsis of each film published by Biograph in its advertising broadsides; the descriptive reviews in *Biograph* magazine, the *New York Dramatic Mirror*, and *Moving Picture World*; and my own considerable experience with the distinctive Biograph style of prose. In order to restore Biograph or other titles, a print

*Country (Edith Yorke and David Torrence) and city (Mary Duncan and Charles Farrell) scenes from F. W. Murnau's* City Girl *(1930), finally shown as* Our Daily Bread *(1931). Courtesy of the Museum of Modern Art, Film Stills Archive.*

*An example of nitrate disintegration. The film shows park police dismounting and mounting for Edison's camera in 1896. AFI stills collection.*

gram has been most heavily involved are film restoration and film acquisition.

**Film Restoration**

Motion pictures have an unfortunate property: they can be altered. The provenance and history of any given reel of motion picture film can be very difficult to determine. The materials finally reaching the archives may have been through many hands, which could and often have altered, cut, mutilated, rearranged, or otherwise tampered with the images and sound for a variety of reasons. At present most archives with large collections of nitrate film awaiting preservation are unable to divert significant resources to restoration work, which is generally postponed. The archival aim is to preserve the best surviving materials of the version as first released. This can be difficult, as the case of *Lost Horizon* shows.

According to legend, *Lost Horizon*'s problems are due to Gen. Jimmy Doolittle. Rumor has it that the day after the general's raid on Tokyo in 1942, Roosevelt facetiously remarked at a press conference that the planes had come from Shangri-La. And very soon after, Columbia rereleased *Lost Horizon* in a truncated version titled *Lost Horizon of Shangri-La.*

Coming five years after its initial release, this version was trimmed from 132 to 108 minutes, a common fate for reissues during that period. The changes to fit a wartime audience were obvious: the local Chinese revolutionaries became Japanese butchers, subplots were trimmed, the pacifistic elements were greatly toned down, Jane Wyatt no longer was responsible for bringing Colman to Shangri-La, and Colman himself almost ceased to be a British subject.

Unfortunately, the original negative of the cut twenty-four minutes was lost, and no other copies of this footage were known to survive until 1969, when Columbia turned its nitrate studio print over to the AFI. This turned out to be eight minutes longer than the *Shangri-La* version. Since this beginning, we have been scouring the world for any additional material to fill in the missing sections. With the cooperation of members of the International Federation of Film Archives and the help of Columbia Pictures, we have been gathering together all surviving materials for careful comparison and restoration.

The version the AFI has restored to date incorporates material from the Columbia studio print as well as surviving fine-grain master positives, several variant versions *plus* the complete sound track from the National Film Archive in London, and a very worn 16mm television print, dubbed into French, which Columbia located in Canada. Except for the sound track, none of these versions is complete, but when combined they yielded a version which runs the full 132 minutes and has the complete original dialogue but which is missing 6 minutes of the picture in five different places.

The task of comparing all of the surviving material, determining which segments were of superior quality for the restoration, performing the editorial work, and supervising laboratory and rerecording as well as all other related technical details was the responsibility of Robert Gitt, who began this project in 1973, when he was at the AFI Archives, and has continued it in

*Nitrate film stored under special conditions at the Library of Congress vaults in Suitland, Maryland. Photograph by Charles Del Vecchio, the* Washington Post.

*Shrunken film being examined and measured at the Library of Congress nitrate laboratory before being transferred to safety film. Painstaking care and preparation of the original copies is essential in obtaining the best possible preservation master.*

his present position at the UCLA Film Archives. The bulk of the laboratory work has been done at the Library of Congress.

We are not finished yet—we are checking rumors of a print located somewhere in Europe and have been negotiating for two years with a private collector who claims to have a copy. Our best hope may be to rely on David Shepard's* second principle of film restoration: "To secure a genuinely perfect copy of a film one need only lavish a great deal of labor, large sums of money, and an evocative vocabulary on the transfer of a genuinely shabby original. This will guarantee the later discovery of better duplicating material." *Lost Horizon* is an extreme case, but it does demonstrate the amount of effort that may be called for, even for a film that is only forty-three years old.

The restoration of *Gunga Din* was much simpler. In this film, an actor portraying Rudyard Kipling appears at various times. Due to the objections of Kipling's family, cuts, changes, and optical obliterations removing the Kipling character were made several months after its American release. The RKO materials deposited at the Library consisted of the edited original picture negative with missing soundtrack. However, RKO had retained a copy of the final continuity on the film, and we were able to determine through correspondence that the National Film Archive in London held a nitrate fine-grain of the complete version. This fine-grain had probably been exported to England in 1939 for the film's first release. Fortunately, the British had cut only the printing negative, leaving the fine-grain intact. Arrangements were made for the return of the fine-grain to the United States, and it was copied immediately in the Library's lab. The restoration was routine since we knew in advance what the definitive version was like and were able to locate a good master copy with a minimum of effort.

### Major Studio Collections

The first source of films for preservation is the producing companies themselves, particularly those that still exist. In the first few years of this program, agreements for the deposit of studio collections were concluded between the

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*See David Shepard's article in this issue.

*Mary Pickford in* Cinderella *(1914). The only surviving copy of this film was held in the Nederlands Filmmuseum in Amsterdam, a member of the International Federation of Film Archives (FIAF). This film is part of a very rich collection of early American films which are being returned to their country of origin for preservation, one of the benefits of the international cooperation which is the fundamental purpose of FIAF. AFI stills collection.*

picture preservation increased from roughly $50,000 to $700,000. In 1967, the Motion Picture Section had a staff of ten within the Prints and Photographs Division. By 1978, the staff had grown to forty-five, now part of the new Motion Picture, Broadcasting, and Recorded Sound Division.

5. During this period both the Library's motion picture section and the AFI Archives became working members of FIAF, the International Federation of Film Archives, which facilitates the exchange of information and technical developments, as well as films themselves.

6. With support from the National Endowment for the Arts, the AFI was able to fund preservation activities, beginning in 1971, at the two major private film archives with large, important nitrate collections: the Museum of Modern Art Department of Film and the International Museum of Photography at George Eastman House. Beginning in 1978, this program was expanded further, with additional funding being provided to the UCLA Film Archives and the Anthology Film Archives, as well as to a number of other institutions with holdings of endangered moving images such as the Oregon Historical Society, the American Jewish Historical Society, and the Center for Southern Folklore. Under the expanded American Film Institute/Arts Endowment Archival Film program, more than $500,000 was made available last year for matching grants. When the expenditures of the Library and the National Archives

are included, total national expenditures for preservation last year were in excess of $2,500,000, a more than fifteen-fold increase since 1968.

7. The Film Archives Advisory Committee, initially formed to advise AFI on preservation priorities, has evolved over the years into an intensive group of working film archivists, collaborating and advising each other on both their individual and collective problems. A parallel group, the Television Archives Advisory Committee is also emerging, developing from various meetings held in the early 1970s, but which only began to take shape following a meeting held in February 1978 at the Library of Congress.

8. The Library of Congress, with both the largest archival film collection in the country and also the largest ongoing preservation program, has emerged as the cornerstone of the national preservation effort. In collaboration with AFI, the Library's collections have been expanded to include a cross-section of American film production. There are still many gaps, some of which need to be filled, but many of which have already been filled by the other major institutions working in coordination with both AFI and the Library.

Both the AFI and the Library of Congress have changed in the course of the past twelve years with experience and in response to the changing realities facing them. As we enter the 1980s, further changes will undoubtedly occur as each institution reevaluates its programs and goals. But one constant will remain—the existence of complimentary partnership that serves the needs of the field while serving both institutions.

The sound engineers won an Academy Award for the advanced recording and editing techniques of the musical score of the film, which also won an Oscar. Oscar nominations went to Moore, the director, Victor Schertzinger, and the picture for the best of the year. It was approved by those who sought a praiseworthy alternative to films with sex and violence. Moore was awarded a gold medal by the Society of Arts and Sciences for "conspicuous achievement in raising the standard of cinema entertainment."

The unprecedented box office success of a film with generous helpings of *Butterfly* and *Carmen*—*One Night of Love* ranked fourth in popularity among all films of its year—prompted a series of vehicles for Grace Moore in which she sang everything from Schubert's "Serenade" to Cab Calloway's "Minnie the Moocher" to leading men like Melvyn Douglas or Cary Grant. She invariably won over opera house audiences with the gavotte from *Manon* or the drinking song from *La Traviata* at the finale.

These films were not greeted with the universal applause which followed the first Moore film. *Love Me Forever*, "stands or falls on its musical sequences alone," noted *Sight and Sound*, "the static quality so often the fault of musical films is overcome here by brisk and very effective cutting, a notable virtue." Critic Otis Ferguson summed the film up as "a story that has seen better days . . . one chorus of the theme song, two *Bohème* arias, 'Il Bacio,' a few rounds of 'Funiculi, Funicula' and the quartet from *Rigoletto* . . ." [expanded by Hollywood into forty voices!] with "everything jettisoned in favor of elaborate production and recording of the big punch numbers . . . eighth-rate [outdated] treatment of distinctly third-rate music." Reviewer Kyle Crichton was harsher: "if it is not the worst thing ever filmed, judgement has left me entirely."

Moore's ebullient personality and pleasant, if not yet memorable, voice briefly made her a favorite with movie audiences throughout the world, but the music critics were never won over until her Met performance in the title role of Charpentier's opera *Louise*. Her last film appearance was in a prewar French film of the opera authorized by the composer after twenty-five years of refusal.

### "Some Great Star of Song"

Prompted by Moore's box office power, Hollywood studios devised films around other glamorous opera stars with suitable looks and personality: the handsome brunette mezzo soprano Gladys Swarthout and the petite French diva Lily Pons.

In her first film Pons portrayed a peasant girl, anxious to escape the provinces, who marries an American opera composer (Henry Fonda). The plot line modified the formula of singer films to have her forsake her opera career for home, husband, and baby, but en route she sings "Caro nome" at an audition, "The Bell Song"—the exacting aria from *Lakmé* which first brought Pons fame—and operetta songs by the composer-husband (composed for the film by Jerome Kern) such as the title song, "I Dream Too Much." "Lily Pons' coloratura soprano," noted film historians Arthur Mayer and Richard Griffith, "provoked the rude remark that her picture should have been called *I Scream Too Much*.

Lily Pons's piquant personality suggested a sense of humor, so in subsequent films, opera arias jostled with slapstick. In *That Girl from Paris*, as an opera star who is a stowaway on an ocean liner, she sings a swing version of "The Blue Danube" and joins comedian Jack Oakie in a comic duet before performing in *Barber of Seville* at the Met in the obligatory finale.

In *Hitting A New High*—to be precise, a high "E"—Oakie plays a press agent who convinces Pons that she can advance her operatic career by being discovered as a jungle "bird girl" named "Ooga-hunga." (The bird girl's warbling and trilling, likened by some to the sound of a terrified mouse, is uncannily similar to later music sung by Yma Sumac.) Those who withstand the farce moments are treated to Saint-Saens' "Nightingale Song," the "Titania" aria from *Mignon*, and the mad scene from *Lucia di Lammermoor*, in which her brilliant, fragile voice was particularly appropriate.

In a musical version of an old stage melodrama, *Rose of the Rancho*, Paramount sensitively cast Gladys Swarthout, the epitome of chic, in her debut film as a sort of female Zorro who sings.

Somewhat more suitable was her second film, *Champagne Waltz*, in which she was smartly

*Gladys Swarthout poses beside the swimming pool on her Beverly Hills estate in a Hollywood-style promotional photograph for Paramount Studios. Courtesy of Fred Calland.*

dressed, sang the music of Johann Strauss with an appealing tremble of her lower jaw in a dream sequence centering around Emperor Franz Josef, and was taught to chew gum by an American jazz band leader (Fred MacMurray).

A third film showed Swarthout at home in the French operatic repertoire in an aria from *Carmen* and in one from *Don Giovanni,* but her final film was *Ambush,* a crime film in which she did no singing at all.

The movie opera boom had reached such proportions in the mid-thirties that two producers sued each other for the privilege of paying a great deal of money for the services of the sixty-six-year-old Ernestine Schumann-Heink, one of the finest contraltos of her day. The winner, Jesse Lasky, had Mme Schumann-Heink sing "Brahms' Lullaby," in her role of the voice teacher of a Metropolitan Opera tenor whom Lasky was launching, Nino Martini. Five years earlier, at the end of the sound film's first musical cycle, Lasky, then a Paramount executive, had not renewed Martini's contract. Now he built three starring vehicles around him.

In one of these, *Music for Madame,* Martini sang Rudolf Friml songs to Joan Fontaine, who from Eastman Kodak, which wants to send him to India to introduce Panchromatic film there. He spends two years, 1928 to 1930, in India, building laboratories, training technicians, and indoctrinating major Indian film directors in the use of Panchromatic. When he leaves, Panchromatic film is "selling like wildfire."

Later he is engaged by Carveth Wells, lecturer and explorer, to accompany him as cinematographer on a 6,000-mile journey through the Soviet Union, and later through other countries. After that he joins the Commission on Cartography of the Pan American Institute of Geography and History, and stays with it for twenty years.

Thus a career in cinematography comes to a gradual close. But the diary habit is strong and entries continue, though in the end they may say little more than: "With Maimie, watched the Ed Sullivan Show."

## NOTES

1. Upton Sinclair, *Upton Sinclair Presents William Fox* (Los Angeles: Sinclair, 1933), p. 59.

2. For Urban's role in the British film world and his troubles over Kinemacolor, see especially Rachael Low and Roger Manvell, *The History of the British Film, 1896–1906* (London: Allen & Unwin, 1948); Rachael Low, *The History of the British Film, 1906–1914* (London: Allen & Unwin, 1949); and Rachael Low, *The History of the British Film, 1914–1918* (London: Allen & Unwin, 1950). Although British usage would call for "colour," Urban followed American usage with "Kinemacolor."

3. Low, *British Film, 1914–1918,* lists a London Film Company that operated from 1913 to 1921, and a Union Film Publishing Company that operated from 1912 to 1914 using a converted skating rink as its studio.

4. Founded in Flushing, New York, in 1910, the Solax Company moved to Fort Lee in 1912 and was prominent throughout the teens. See Paul C. Spehr, *The Movies Begin: Making Movies in New Jersey, 1887–1920* (Newark: Newark Museum, 1977), pp. 80–84.

5. Launched in 1913, the Universal newsreel continued under various names until 1967. U. K. Whipple was one of its first three cameramen. Raymond Fielding, *The American Newsreel, 1911–1967* (Norman: University of Oklahoma Press, 1972), p. 105.

6. At first known only as "the Biograph Girl," Florence Lawrence defected to the IMP Company under her own name—a key event in the rise of the "star system."

7. *The Moving Picture World* (June 9 and 16, 1917). John Ernest Williamson's pioneering work in underwater photography is recounted by him in his autobiography: John Ernest Williamson, *Twenty Years under the Sea* (Boston: T. R. Hale, 1944).

8. The Houdini 1920 feature film *Terror Island* had an underwater climax involving a treasure chest (the heroine was locked in it but was rescued by Houdini), which may have owed something to the Williamson-Sintzenich association.

9. The United States had declared war on April 6, 1917.

10. The space was later used by Edwin Armstrong for the invention of frequency modulation.

11. Better known to a later generation as director of *The Wizard of Oz* and *Gone with the Wind,* both released in 1939.

12. Alan Crosland later played a role in the advent of sound as director of *Don Juan* (1926) and *The Jazz Singer* (1927).

13. "It cost $100,000 to make, and netted over $3,000,000." Sinclair, *Upton Sinclair Presents William Fox,* p. 59.

14. Mary Carr (1874–1973) scored a success in 1919 in *Mrs. Wiggs of the Cabbage Patch* and went on to decades of mother roles, including a role in *Friendly Persuasion* (1956). She has been described as "the archetypal white-haired old mother." Leslie Halliwell, *The Filmgoer's Companion* (New York: Hill and Wang, 1977), p. 129.

15. J. G. Wilhelm ("Billy") Bitzer was D. W. Griffith's chief cameraman during his rise to fame and worked on *The Birth of a Nation, Intolerance, Way Down East,* and most other major Griffith works.

16. Mae Marsh had appeared in Griffith's *Man's Genesis, The Birth of a Nation,* and *Intolerance.* The new film, *The White Rose,* was her final Griffith appearance.

17. Actor and songwriter, composer of the World War I success "Keep the Home Fires Burning," Ivor Novello impressed Griffith with his resemblance to Richard Barthelmess, with the result that Griffith brought him to the United States.

18. Karl Brown, an earlier Griffith cameraman, described the competitive atmosphere among cameramen working with the master. The advent of Sartov, who specialized in misty close-ups, had "burned Bitzer to a crisp, which was what Griffith wanted," according to Brown. "But that was Griffith's way. Keep everybody in hot competition with any and all possible rivals." Karl Brown, *Adventures with D. W. Griffith* (New York: Farrar, Straus and Giroux, 1973), pp. 205–7.

19. Carol Dempster, pretty but with limited talent, appeared in a number of Griffith features during the last decade of the silent era. Griffith seemed determined to turn her into "another Lillian Gish or Mae Marsh." William K. Everson, *American Silent Film* (New York: Oxford University Press, 1978), p. 180.

20. For the complex maneuvers see Robert M. Henderson, *D. W. Griffith: His Life and Work* (New York: Oxford University Press, 1972), pp. 246–53.

21. Referring to the success of *Heart of Africa,* Kevin Brownlow writes: "Lady Grace Mackenzie was hailed as the first woman ever to penetrate so far into the jungle and was said to have outdone Rainey and Roosevelt. Mackenzie Camp in Kenya was named after her. But she ran into financial trouble, and both her business management and her title came under suspicion. A lawsuit ended her courageous but brief excursion into pictures." Kevin Brownlow, *The War, the West, and the Wilderness* (New York: Knopf, 1979), p. 415.

Scenes from *The Master Thief (Mästertjuven)*. Directed by Mauritz Stiller. Svenska Biografteatern, Sweden, 1915. This scenario was reconstructed by the author from the 35-mm photographs deposited at the Library of Congress for copyright.

*Ernest Wilson (Egil Eide), the master thief, gets an order from an international gang of criminals to steal*

*the plans for a new invention made by the engineer Gordon (John Ekman).*

*Gordon is called away under false pretenses. In the meantime Wilson visits Gordon's wife (Lily Bech) and tries to make love to her.*

*Gordon returns sooner than expected. Wilson flees and escapes.*

but you have no idea who is entering. But if you have a still from the same sequence and recognize the door, the room, and other undeniable details, you can deduce who is entering.

Once you identify the actors, this information will help you trace the plot. The actresses, especially the stars, changed their clothes for each sequence, whether this indicated an interval of some days, or morning or afternoon to evening or night. Therefore, photographs showing the leading ladies in the same dresses belong together.

Other details from stills that can be significant when reconstructing a film include: how the papers are lying on a desk, where a photograph is placed on another desk, how widely a window is opened, how the drapes are drawn, how the sheets or blankets are creased on a bed, where a chair stands, or how ajar the door is in the background. You will find many such small interesting details which, together with the lighting of the interior or the way the shadows fall outside, can tell you undeniably that two frames found far away from each other must have been shot at the same time and are parts of the same scene.

The next step in the reconstruction process is to try to match up the single or multiple frames you are fairly sure of and start building small sequences. Probably you will soon see how they fit together and form larger ones. Soon you will have larger sequences which follow each other logically and you will then be ready to superimpose these on a lineup of the film's story. If you are not able to proceed to the end, you must keep rearranging the remaining material. If some small sequences still remain and you cannot find places for them, you may despair, as I did many times. Then you should put everything aside, work on some other project, and forget all about the CFP material for a month or two. If you resume the work without success, then sleep on it and let your unconscious work on this material for another month or two.

I do not guarantee you will ever reach a final, definitive conclusion. I worked on twenty-seven Swedish and Danish films and succeeded with twenty-six of them. The twenty-seventh was a Danish film, a detective story with very few titles and, worst of all, no surviving synopsis of the plot. All I knew was that it must have been a very complicated disguise story. But that was the exception that proved the rule.

If all the copyright deposits had indeed included one frame from each scene in each film, my task would have been simpler. But I soon found that this was almost never the case. Parts were missing from the beginning of every film. Nothing had been lost by Library personnel; they gave me all the prints which were registered for copyright. Sometimes it was rather easy to find out what was missing if the title list survived; it could be used to establish where the CFP material belonged in the same way that stills could provide a scene that was missing from the CFP material.

Just as a literary text needs a critical edition which provides a reliable analysis and presents well-founded interpretations, a film's cinematic structure must be clearly established before it can be judged. This is one of the key requirements for serious film study.

A great number of old films have been destroyed, but the film historian must still consider them. They are components in the development of film, not only as an art but also as a new medium. To study films is to observe how a story is presented visually, how clearly and purely the screen writer and the director have presented the subject to their audience; what the relationship is between words read as titles or heard as dialogue; and how the mixture of images, music, and sound effects has produced a new medium that does not depend primarily on words.

But this study cannot prove faithful without reconstructing the many links in the cinematic chain. The film scholars of today and tomorrow must not underestimate the value of thoroughly exploring early films. The paper prints at the Library of Congress offer this opportunity. If they are complete they will offer important clues to the structure of many films previously thought to be lost.

What has been sorely lacking in film research has been authentic resource material. This can be found at the Library of Congress.

*Another night, however, Gordon's wife and child (Wanda Rotgardt) are alone. Wilson returns.*

*Gordon's wife discovers that he has broken into the safe and stolen the plans for her husband's invention. She offers herself in exchange for the invention, and he accepts.*

*Some time later, Gordon's child falls ill. He goes to see his wife at her new home*

*and persuades her to return for the child's sake. Wilson sees their reconciliation from outside and knows he has lost.*

*Charlie Chaplin, Mack Swain, and Georgia Hale in* The Gold Rush. *Camera angles and performances differ in the silent (1925) and sound (1942) versions. Courtesy of the Museum of Modern Art, Film Stills Archive.*

shop was equipped with plates and typefaces similar to those in service long ago to set up facsimiles of the original title texts.

**Silent and Sound Versions**

The existence of silent and sound versions of films further complicates the pursuit of film authentication.

When the great F. W. Murnau made a beautiful, lyric silent film called *City Girl* in 1930, the studio envisioned a commercial disaster. Another director was engaged, dialogue was written, and Murnau's footage was incorporated into a sound feature shot around the existing story and material. It was released and failed. Later, the negative was destroyed by fire and all prints were also lost; however, Murnau's original version was found in the studio vault and had its world premiere forty years after its creation.

*The Gold Rush*, perhaps Charles Chaplin's greatest comedy, circulates in two completely different versions. The original silent film (1925), now in the public domain, is widely available. In 1942 Chaplin added a musical sound track and narration in place of the original titles; but to eliminate jumps in the action which would have been present had the titles simply been removed from the silent negative, he constructed a new edition edited almost entirely from outtakes. The camera angles, performances, and editing differ. Which is authentic? The later version was Chaplin's last word, but the earlier contained his first choice of scenes.

*All Quiet on the Western Front* (Lewis Milestone) was prepared simultaneously in silent and talking versions. The silent version was shown outside of the United States and featured a slightly different cast. In 1939 the sound version of the film, 145 minutes long, was reduced by 42 minutes and provided with a wartime narration to undermine the original pacifist theme. After World War II, a similar but not identical 103-minute version was reissued without the added narration, and this is how the film is shown today. Universal Pictures donated all its negatives and master prints of this film to the Library of Congress, where it awaits restoration.

**Sound Films**

Consider the distribution history of Walt Disney's *Fantasia*, which was first released in 1940 with a special four-channel sound system Disney

*Zasu Pitts and Lew Ayres in a scene from* All Quiet on the Western Front, *based on Erich Maria Remarque's book which depicted World War I from the point of view of the German soldier. Miss Pitts's part was played by Beryl Mercer in the domestic sound version. Courtesy of the Museum of Modern Art, Film Stills Archive.*

called "Fantasound." Not a stereo process, Fantasound was a multiple monaural sound track which could be directed from any or all of three or four locations, depending on the size of the specially equipped theater. The sounds were controlled by a system of notches in the edges of the 35mm film which carried all four tracks. The projection print included a single-channel optical version, in case the Fantasound system failed and for use in the majority of theaters that did not install special equipment for the run.

In the 1950s *Fantasia* was reissued. By this time, magnetic stereo sound had joined the technical repertoire of motion pictures, and the Disney people remembered to their horror that since *Fantasia* had originally been a commercial failure they had seen no continued use for the bulky Fantasound optical tracks and had therefore junked them for the silver and other material in the film stock which was needed in wartime.

Disney's staff found two of the original Fantasound prints of *Fantasia* and, using old equipment which was lying around the studio, reconstructed a Fantasound film phonograph. They very carefully transferred the original tracks to magnetic masters. The sound was then remixed to simulate stereo. At the same time, the picture was optically processed for anamorphic projection so that many of the animated sequences were stretched to one and three-quarters of their original width, thereby turning centaurs into sausages. The film was circulated in this format for years.

The next reissue of *Fantasia* was simply a reproduction of the original nonanamorphic version, with the top and bottom of the original frame cropped off in projection and the optical mixed-down projection track serving as the sound source.

Current prints of *Fantasia* offer the original image optically reduced to minimize cropping when projected, together with the simulated stereo sound track of the 1950s. The varied forms in which students of this film have seen it must certainly have affected their perception of the work.

Films are often shortened after their initial release. *Long Day's Journey into Night* was produced under a contract which assured that Eugene O'Neill's text would not be tampered with, but when the film failed to earn its expected return, Joseph E. Levine cut forty-seven minutes. This edition should have been adver-

*A scene from the 1937 Columbia feature film* Lost Horizon, *with H. B. Warner, Isabel Jewell, Edward Everett Horton, Ronald Colman, and Thomas Mitchell. Photograph from the Museum of Modern Art, Film Stills Archive.*

Library and such companies as the Mary Pickford Corporation, Columbia Pictures, RKO (through its licensee Compagnie d'Enterprises et de Gestion), Hal Roach, Inc., Paramount Pictures, and the United Artists Corporation (which donated the library of Warner Brothers). Collections such as these, acquired from the original producers, contain copies of films which normally are in better condition and more complete than can be obtained from private collectors or from worn distribution prints. The advantage of making a preservation master from the original negative of *Casablanca*, for example, is clear, especially when the alternative may be to use a worn-out projection print that has been screened several thousand times.

These studio collections contain many films that represent a substantial investment as well as substantial present and future commercial value. For these films, final details of the deposit or gift, including restrictions on subsequent use, are carefully worked out between the Library's Exchange and Gift Division and the donor. The role of the AFI has been to establish contact with the donor, begin preliminary negotiations, and then bring the donor and the Library together to conclude the final arrangements.

Not all of the major collections were brought in in the early years of the program. The first

Paramount donation in 1969 consisted of 104 silent films which it had retained in its vaults. This was followed in 1978 by a second donation of 89 silent and sound films which had been located several years after the first donation. Universal Pictures, which has rights to its own productions and also to 770 sound Paramount features, began depositing material in the Library in 1976. On the other hand, some major collections have not been sought out for the Library. For example, MGM has maintained a long-standing relationship with the International Museum of Photography in Rochester, and hence no deposits of MGM material have been added to the AFI Collection. Similarly, the Museum of Modern Art has maintained a preservation program for the early films of Twentieth Century-Fox. Discussions between the museum, the Library of Congress, and Fox are under way regarding the preservation of later nitrate-era Fox films, to ensure that appropriate titles are preserved by each institution. Discussions were also conducted with National Telefilm Associates (NTA) regarding their holdings of several thousand features of the 1930s and 1940s, made by Republic Pictures and a number of independent producers. When it developed that the UCLA Film Archives in Los Angeles also was interested in acquiring this collection, it was collectively agreed by the archives involved that UCLA was the most suitable home for these films; UCLA acquired the NTA collection in 1977.

### Other Large Collections

The mortality rate of film companies in the last eighty years has been enormous, and the demise of a company is often followed by the disappearance of its films—at least of good quality 35mm original materials suitable for preservation. Films from defunct film companies sometimes are acquired by others, but this turns out to be principally for television distribution, with no financial incentive for the new owner to preserve or retain good quality 35mm originals since 16mm suffices for immediate purposes. Fortunately, many of the independent and small company productions were distributed on a "states-rights" (or territorial) basis, and many 35mm prints found their way into the hands of private collectors and thence into the AFI Collection. The most troublesome films to track down are those of United Artists, which operated only as a film distributor in the nitrate period and did not retain rights or copies of the films it distributed. Instead these films all reverted to scores of independent producers. Tracking down these independents is difficult, and it is not easy to convince independent producers, or their successors, of the need for preservation in a national collection. For instance, we began discussions with one of the major independent producers, Edward Small, in 1976, but the films involved did not reach the Library until late 1978, when they were deposited by his estate.

### Private Collectors

Almost half of the fifteen thousand films in the AFI Collection came from private collectors. This is an astounding figure, and it does not reflect the thousands of films that were available to us for acquisition but were rejected because the titles in question were already adequately preserved in one of the film archives in this country. To amass this many films, we have dealt with more than twelve hundred individuals in the past ten years and have generally been successful in working out arrangements which make the film available to us for preservation and provide adequate compensation to the film's owner in exchange. And now collectors with whom we dealt in the beginning of the AFI acquisition program come back to us with additional films they acquired in the interim.

Most of the films we obtain from collectors are from the pre-1935 period. This is a deliberate choice on our part, principally because films from this period are scarce and endangered. Fortunately, corporate control of the film prints was fairly loose at this time, and a large number of films found their way into private hands. Our task has been to locate these holders of nitrate prints and then to work out what can often be a complicated arrangement for preservation.

Collectors in general, whether they collect beer cans, barbed wire, or first editions, have common traits, although the variation from individual to individual can be enormous. We have found that most of our sources are men, and that they began by collecting the films they saw in their childhood. Perhaps it is because

# Golden Voices, Silver Screen
# Opera Singers as Movie Stars

### by David L. Parker

"I believe," Thomas Edison wrote in 1894 of his sound motion pictures, "that in coming years by my own work . . . grand opera can be given at the Metropolitan Opera House . . . without any material change from the original . . . with artists long since dead." Edison's prediction was largely accurate. For decades following the introduction of sound films, performances by many opera singers were preserved in motion pictures—even if in some instances they might have been better left, in Edison's words, "long since dead." These vehicles to display the accomplishments of tenors and sopranos and an occasional mezzo or bass reached a peak of activity in the mid-1930s and were categorized by German filmographers as *Singerfilms.*

**Early Singer Films**

The earliest appearances of opera singers in sound films date back to the turn of the century. Clement-Maurice's sound films of opera singers were exhibited at a Phono-Cinema-Theatre at the Paris Exposition of 1900. Baritone Victor Maurel, one of the great singing actors of his time and the creator of the title role of *Falstaff,* could be heard and seen in some appropriate settings in excerpts from the Verdi work and from *Don Giovanni.* Cossira of the Royal Italian Opera in Paris sang an aria from *Romeo and Juliet.*

In 1903 the British company Walterdaw produced about fifty sound films, including *The Mikado* and *Yeoman of the Guard,* "in miniature." The phonograph record was made first and then it was played back in the studio while actors attempted to match their movements to the music. In France in 1906 Leon Gaumont's Chronophone sound films included excerpts from *Lakmé* and two duets from *Il Trovatore.* Gaumont also made many other such films in 1912. In France and in the United States the sound film fad flourished in 1908. Jules Greenbaum's Synchroscope sound film of Caruso was on view at the Majestic Theatre,

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David L. Parker is technical officer in the Motion Picture, Broadcasting, and Recorded Sound Division. He has written and directed a number of films, including *Anna Sokolow Directs "Odes"* (1972) and *School for Fours* (1969), for which he won the Chris Award. A Ph.D. candidate at Ohio State University, Mr. Parker is coauthor of *Guide to Dance in Films* (1978) and *A Filmography of Films about Movies and Moviemaking* (1972) and the author of many articles. He is a frequent lecturer on the subject of filming dance and has taught several film courses.

Evansville, Indiana, during the summer of 1908, and Vivaphone, patented by the pioneer British film producer Cecil Hepworth, released a forty-six minute version of *Faust* before 1913 in Britain and in the United States.

In 1911, the Edison Cinephonograph presented a sound film of *Lucia di Lammermoor* sung by a sextette which included the suave bass Pol Henri Plancon and the world's most famous tenor, Enrico Caruso. *Scientific American* noted that "perfection has not yet been achieved" in the sound film. Insensitive recording devices and inadequate amplification systems and a five-to-ten minute limit on the duration of the recording remained drawbacks.

Similar films were produced in Germany by Oskar Messter, who had solved the problem of synchronization as early as 1903. In 1906 he produced a sound film of a well-known coloratura artist, Francillo Kaufman, in excerpts from *Fra Diavolo,* as well as sound films of *Barber of Seville, Mignon,* and *Tales of Hoffman.* Later he featured prominent singers such as Lola Artot de Padilla and the opera tenor Matzer. In Messter films copyrighted in 1914, soprano Mary Runge sang the "Titania" aria from *Mignon,* Emil Lieban was seen and heard in two baritone arias from *Pagliacci,* and the Swedish dramatic soprano Sigrid Arnoldson performed an aria from *Faust,* with which she had won fame on the opera stage.

By the mid-twenties, inventor Lee de Forest, "the father of radio," was testing his sound-on-film system, Phonofilm, recording sound films of opera scenes in a little studio in Clapham near London. Soprano Eva Leoni recalled singing in de Forest's film of act 2 of *Rigoletto* in 1924, which was released in 1926 and favorably received, as was his *Lakmé*, by British film audiences. In de Forest's film of *Lucia di Lammermoor* the sound of the dagger striking the floor registered more loudly on the sound track than the faint voice of the soprano.

Vitaphone, a sound-on-disc system which was to revolutionize movies, included opera singers among its earliest subjects in the late twenties. Films were made on the stage of the Manhattan Opera House. Cameras perched on stands built above the seats, a master camera controlled the synchronization with the sound recording apparatus and took a wide shot of the entire scene, while other cameras recorded medium shots and closeups simultaneously.

Warners premiered the Vitaphone process in August 1926, beginning with an hour of short films which included a well-received solo by soprano Anna Case, an Edison recording artist of the teens who had been known as "the most beautiful woman in grand opera" during her years at the Met and had a brief career as a leading actress in silent films (as had Enrico Caruso, Mary Garden, and Geraldine Farrar).

A personal success of the premiere was scored by the Met's reigning tenor of the time, Giovanni Martinelli, who appeared in his clown costume for *I Pagliacci.* Martinelli, called "no mean pantomimist" by *Photoplay,* sang "Vesti la guibba" in a demonstration of Vitaphone universally held to be impressive. Robert E. Sherwood wrote: "a trifle unsure on the female voices, but in a solo by Martinelli, it proved to be extraordinarily impressive." The solo came to be shown so often that James Agate wrote: "I suppose that someday I will be able to enter the . . . theatre without hearing Mr. Martinelli bellowing ['Vesti la guibba'] but that day is not yet."

According to *Moving Picture World,* Martinelli's robust tenor "seemed to blend more naturally with what Vitaphone had to offer than the other soloists . . . the least convincing of whom was judged to be soprano Marion Talley, singing 'Caro nome' from her Metropolitan debut role in *Rigoletto.* Her strained tone formations gave the effect of the sound preceding the movements of her lips."

### Hazards of the Camera Close-up

One of the new hazards of singing for sound films was the possibility of a singer receiving bad reviews for shaping his mouth before producing the tones. This gave the effect of the picture being out of synchronization with the sound, the bane of sound-on-disc sound films. In addition, a movie magazine might judge a singer's physical appearance by film star standards, as did *Photoplay:* "As for [Talley's] face, the camera came too close . . . long longshots were made for this girl."

Robert E. Sherwood thought the Vitaphone "as far ahead of de Forest's Phonofilm as the Phonofilm was ahead of Edison's ill-fated Kinetophone." "I am not enamoured of Vita-

*Nelson Eddy and Jeanette MacDonald in* Naughty Marietta. *Copyright © MGM 1935.*

portrayed an aspiring opera composer by walking around at parties holding a huge score sticking out in front of her. In his clown makeup for *I Pagliacci* Martini was supposedly unrecognizable to other members of the cast. More impenetrable than the makeup was the thick Veronese accent with which he spoke his dialogue. Martini is kidnapped by a gang of jewel robbers—as is Grace Moore in one of her films—and threatened with death if he squeals. Instead of ending up at the Met (or six feet under) Martini appears at the finale as a soloist at a Hollywood Bowl concert.

The slight, handsome Martini told interviewers that, for the movies, "I sing exactly as I do onstage or in my studio." That, some reviewers felt, was precisely the problem: movies required something other than a regulation-opera-tenor approach. "Martini is little more than a voice," opined critic Otis Ferguson.

For movie audiences who found Martini's singing scenes to be static, Lasky thoughtfully included a swan dance by the "prima ballerina of the Roxy Theatre," Maria Gambarelli, and a flamenco dance by the legendary Vicente Escudero. (Between the decline of vaudeville and the rise of the television variety show, almost any sort of picture made room for almost any sort of vaudeville turn.)

Like Martini, the lyric tenor James Melton had his first substantial success on radio before movies, although he had appeared in a film short, *The Last Dogie* (1933), in which he sang cowboy laments while performing rope tricks for his bunk mates "Ezra," "Zeke," and "Pappy." In his first starring feature, a few years before his operatic debut, the personable tenor sang "M'appari" and "Celeste Aida," but in his next two films, arias gave way to popular songs like "September in the Rain."

Perhaps the most remarkable series of film vehicles for a tenor were those made starring the extremely diminutive Romanian Joseph Schmidt, who, through his recordings and opera broadcasts, had become a world-acclaimed singer of romantic music in the early thirties. Schmidt, a gentle, manly, open-faced dwarf, reached his peak of popularity with the film *A Song Goes Round the World* (1933), in which the tenor loses his sweetheart to his normal-sized vaudeville partner. Because Schmidt was Jewish, the film was banned by the Nazis in 1937, and Schmidt, like Tauber, had to flee Germany to continue his career.

Schmidt's British-made film *A Star Fell From Heaven* (1936) is a romance set in a film studio, Miracle Pictures ("If it's a good picture, it's a Miracle."), where the vocal indisposition of a temperamental film singer leads to a hoax in which the voice of a student of singing (Schmidt) is substituted for the star, and Schmidt loses the girl to the star for whom he supplies the singing voice.

Although 1937 was a banner year for singer films in Hollywood, with nine major releases, no single one climbed among the top moneymakers, and production in Hollywood declined to one or two a year, usually built around a former baritone of the Philadelphia Opera, Nelson Eddy, and his perennial co-star Jeanette MacDonald, who sang operetta with what Eddy's neighbor Al Capp termed "depraved sincerity." Opera singers appeared briefly in film musicals which were more like variety shows. Ukrainian baritone Igor Gorin sang "The Toreador Song" in *The Broadway Melody of 1938,* and Kirsten Flagstad sang "Yo-to-Ho" (on a stage on an ocean liner) in *The Big Broadcast of 1938.*

### Gigli, Schipa, and Violent Plots

In the United States a reaction seemed to set in against the earlier plethora of opera singer films. Signs of latent hostility appeared in some films. *Fatal Lady* concerned a diva who brings death to the men who love her; *Moonlight Murder* depicted the mercy killing of a tenor backstage at a Hollywood Bowl performance of *Il Trovatore* (with poison gas in the microphone). *Find the Witness* (1937) dealt with the murder of a temperamental opera star, as did *Charlie Chan at the Opera,* which cast Boris Karloff as a bass and offered "operatic" music written by Oscar Levant. Unquestionably, the most popular of all films in farcical reaction to opera was *A Night at the Opera,* with Kitty Carlisle and Allan Jones singing the "Miserere" duet from *Il Trovatore* and starring the Marx Brothers.

A type of singer vehicle most resistant to improvement was the solemn, sudsy backstage melodrama—often built around tenor Beniamino Gigli. These films came in a continuing stream from Cinecitta, near Rome, the largest film studio complex in Europe at the time of its opening in 1937 (the year of the Gigli film, which was known in Italy as *Solo per tu,* in Germany as *Mutterlied*).

*Mutterlied (Solo per tu)* opens promisingly with Gigli as Faust dying amidst massive heavenly choruses in the epilogue to *Mephistofeles.* The film required the services of six script writers, including the famed Thea von Harbou, Fritz Lang's wife and scenarist of *Metropolis* and other

*Chico and Harpo Marx cavort in a scene from the opera* Il Trovatore *in the film* A Night at the Opera. *Copyright © MGM 1935.*

# Frame by Frame

## Scandinavian Film Reconstruction

by Gösta Werner

For many years films produced before 1920 were not considered worthy of study from a scientific or artistic viewpoint. Their techniques were considered crude, and their content, primitive. The story lines and cinematography were thought to be too unsophisticated to present developed character or visual studies. Therefore, very few realized that these early films would one day be recognized as the precursors of a new and important genre. However, with the immense development of pictorial communication and the heightening of visual consciousness on the part of film viewers in the twentieth century, films are now appreciated as a great medium for mass communication, as well as an art form. We are fortunate to have records which permit us to discover how this medium was born and how it developed step by step—technically, psychologically, and socially—exerting a broad influence and finally finding its way into the domain of the arts. It was to trace this history for Swedish and Danish films that in 1971 I embarked upon a project to restore some of the Scandinavian films which had been deposited at the Library of Congress for copyright before 1920.

### The Copyright Laws

Films registered for copyright before 1912 were usually registered under the procedures established for photographs, and anyone wishing this protection was required to deposit with the Copyright Office at the Library of Congress contact prints made directly from the film negatives; usually these were printed on bromide paper. These paper prints ranged in length from a few frames to the entire motion picture. Because of this requirement, many of the motion pictures made during that period are still

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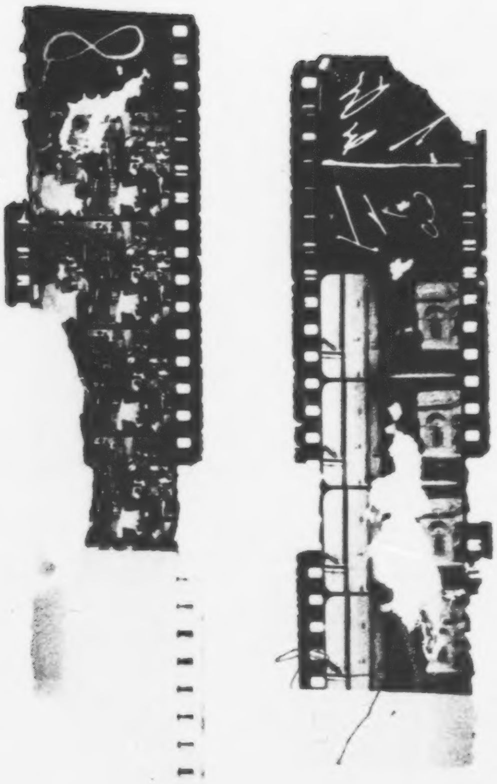
During more than thirty years of filmmaking he has worked in the United States, Canada, Africa, the Middle East, and the Far East and produced several experimental films, many documentaries, and half a dozen feature films, for which he has been honored at Cannes, Venice, Edinburgh, and other international film festivals.

He was the first Scandinavian to write a dissertation on a film subject and has since written and compiled several books and bibliographies on the history and theory of Swedish and European film, on Mauritz Stiller, and on film plots, production, and direction.

*Gösta Werner in Stockholm, examining a frame from copyright film material deposited for* The Wings.



*Some examples of how chemical influences can almost completely destroy prints. If improperly stored, prints can adhere to each other and become damaged upon separation.*

available.* Furthermore, many of the European films which reached the Copyright Office during this early period have only survived as paper prints.

After 1912, when the copyright law was amended to designate motion pictures as a category distinct from photographs, it was not necessary to submit a complete print in order to register a film; a few frames from every scene in the film were sufficient. When all the frames were put in order, the whole film would be represented. These frames were often printed on nitrate-base film, which is subject to chemical deterioration and is highly flammable, making archival storage very dangerous; consequently, they were destroyed many years ago.

Even after 1912, however, some motion picture producers were still depositing paper prints for copyright. At first the applicants had to submit paper prints of at least three frames from every single scene in the movie; later they were permitted to send only the very first frame from every scene in the film.

These paper prints were made on bromide paper, copied from the original film negative, and manufactured in the film's country of origin. Many of them have suffered chemical damage with the passage of time, but not to the same degree as the nitrate-base frames. And the

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*Kemp R. Niver, "From Film to Paper to Film: The Story of the Library of Congress Paper-Print Conversion Program," *QJLC* 21 (October 1964): 248–64; and Kemp R. Niver, *Motion Pictures from the Library of Congress Paper Print Collection, 1894–1912*, ed. Bebe Bergsten (Berkeley and Los Angeles: University of California Press, 1967).

# Authenticating Films

### by David Shepard

Film scholars, unlike literary scholars, cannot turn to reference sources to determine if the "texts" they analyze are first folio, quarto, abridged, bowdlerized, or even pirated editions. Indeed, it is difficult to catalog all the things that happen to films as they pass from the hands of their originators, as they age, as they are revised for different markets, and as they cross cultural barriers; thus, nontechnical scholars have been misled into untenable conclusions by defective texts.

Because of studio and vault fires, chemical disintegration, storage costs, and bankruptcies, the overwhelming majority of silent films that survive and circulate today were copied from release prints found in attics, old theaters, flea markets, and secondhand stores. This chance survival of unique, used copies means that many imperfect versions have become texts for scholarly study.

To be more specific, in 1978 I attended a lecture at an annual conference of a learned society for advanced students and professional teachers of film theory and history which was presented by a professor from the University of Cincinnati.[1] He had isolated single frames from *Potemkin* (Sergei Eisenstein, 1925) and *Mother* (Vsevolod Pudovkin, 1926) which he hypothesized revealed the early use, decades before the advertising industry moved to Madison Avenue, of subliminal embeds. The two symbols he noted were marks of blood upon two foreheads and revolutionary graffito.[2] After some research I was able to trace the source of these one-frame signifiers through many generations of duplication and editing and discover that the graffito was actually a single frame scribed in German with the first three words of the title once inserted at that point but which is located elsewhere in other copies; and the bloody foreheads were the result of abrasions on two worn prints, one German and one Russian, patched together to generate the duplicate upon which the lecturer was basing his discovery.

In order to explain how these misinterpretations can occur, some technical understanding is necessary. Professional motion pictures are photographed on negative film. A work print, or editorial positive, is made from this negative and is arranged in the desired scene order by the director and film editor. The negative is then arranged in the scene order established in the work print, and thereafter it is used to make positive, or release, prints of the film for general

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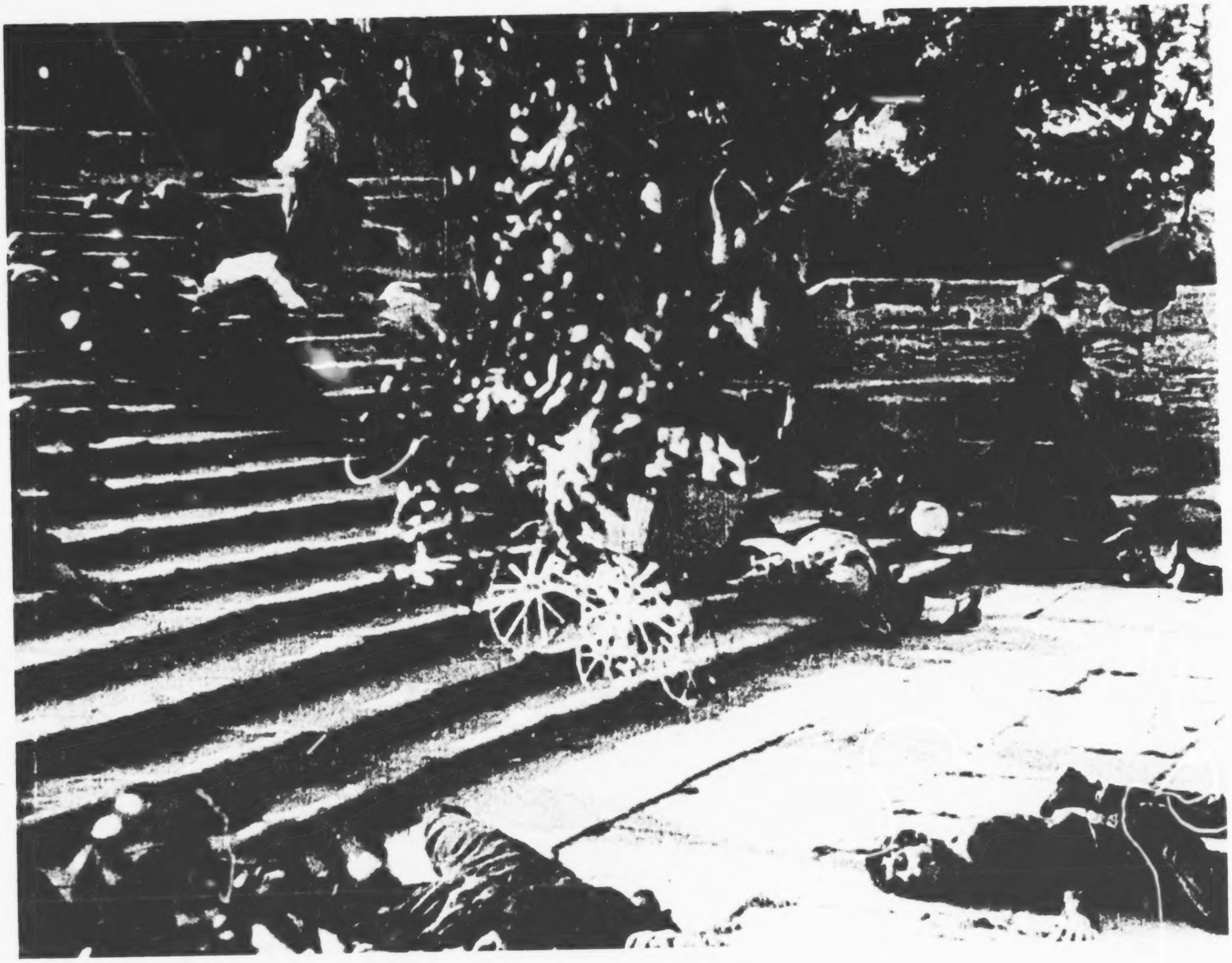


*A frame from Sergei Eisenstein's* Potemkin *(1925). Courtesy of the Museum of Modern Art, Film Stills Archive.*

distribution. To protect the film from premature negative wear or loss, a special print is made early in the life of the production, and it is never projected. At various times in film history, this has been known as a master, lavendar, protection print, or fine grain. Copy negatives are produced from this master and are referred to as internegatives, duplicate negatives, or dupes. New release prints or even masters of good but not quite original quality can be derived from these copy negatives. The usual practice of the industry until very recent years was to replace with dupe only those original negative shots which became damaged, and to use the original negative as long as possible to make every release print required for distribution. Copy negatives of somewhat inferior quality can also be manufactured from ordinary release prints, and new release prints can be struck from these, too.

After analyzing the versions of *Potemkin* and *Mother* which were being discussed, I was astonished a learned society could consider the symbolic meaning of blemishes and other accidental markings which a publishing scholar was unable to recognize as by-products of a defective text, many generations removed from the original negative. It is as if a society of art historians heard and considered solemn evaluations of, say, a major Rembrandt based on the close study of a black-and-white snapshot taken of a coarse halftone printed in a badly worn, smudged art book.

tised as *Long Day's Journey into Mid-Afternoon.* Both versions still circulate today. In 1938 the old *King Kong* was shortened to satisfy the requirements of the Production Code Administration, but the British negative was not altered and many "restored" prints have circulated in recent years. *Snow White and the Seven Dwarfs* was cut for its most recent reissue to obtain a G rating. Long and short versions of films from *The Birth of a Nation* to *La Cage aux folles* are distributed simultaneously. Some complicated cases like the Frank Capra version of *Lost Horizon* require skill approaching the archaeologist's to figure out.

Perhaps the most extreme examples of abridgements are the capsulized film versions prepared for airline and home distribution. There is a fifteen-minute *Poseidon Adventure*, a twenty-five-minute visit to the *Planet of the Apes*, and a half-hour *Gentlemen Prefer Blondes*, presumably for those gentlemen who are not sure.

But films do not always get shorter as they get older. *Touch of Evil* circulates in a version that is twenty minutes longer than the original. In 1958 Universal took Orson Welles's film out of his hands and recut it after the studio executives had a look at the director's version. In 1972 the longer print they saw, found in Universal's vault, became the source of a new copy negative.

There are also instances in which films are not simply made shorter or longer but are reedited. An extreme example is *The Heretic*, the unsuccessful sequel to *The Exorcist*. When audiences laughed at the picture, the director hurriedly reedited the last reel and two earlier reels. As the laboratories turned out the 800 new prints required of each reedited reel, they were shipped to theaters with instructions for the projectionists to replace the original with the new sections. *Women in Love* was reedited to show less of each title element, and *The Sailor Who Fell from Grace with the Sea* was recut to water down scenes which many viewers found offensive. In these instances, totally different versions of films circulate alongside each other.

Filmmakers also revise their own work, as Walt Disney did with the *Three Little Pigs*. The original cartoon showed the Big Bad Wolf in a gross caricature of a Jewish peddler. Later, both picture and sound were done over to present him as a less offensive Fuller Brush man. Recently Josef von Sternberg's widow and son helped a distributor reconstruct *Anatahan*, made in Japan in 1953. A completely new sound track was built from the original elements. Narration was reequalized, and sound effects such as gunshots, birds, and water were added. Dialogue was remixed to reflect the position of characters with relation to the camera. Some of the music track was changed. An article in the September 1978 issue of *Film Comment* discussed Sternberg's sophisticated use of sound in this twenty-five-year-old film; the author was apparently unaware of the embellishments to the text.

**Export Versions**

It is when a film crosses the ocean that real confusion occurs. Those Soviet classics of the twenties that I discussed earlier were almost always recut for their American release; for example, Eisenstein's *October* was cut from thirteen reels to seven and was studied and evaluated for decades in that version—little more than half its original length. Pudovkin's *Storm over Asia* was cut from ten reels to seven and is still shown in its short version most of the time. When restored versions of these films were prepared in Russia, only about half the missing footage was restored to *October,* which was then advertised incorrectly as "the most complete version." All three versions are in general circulation. In the case of *Storm over Asia,* dialogue was dubbed onto the previously mute images, so three editions are also available. Jean Renoir's *Rules of the Game,* which many critics regard as one of the greatest films ever made, was shortened for its first release here in 1939. This short version remained in distribution for twenty years, until a long version came on the market. Because the original negative was destroyed during the Nazi occupation of France, the long version is actually a completely new edition edited from outtakes.

To avoid unsympathetic recutting, some filmmakers prepare special international versions. Akira Kurosawa's *Seven Samurai* (1954), for example, was released in the United States in a shorter and less violent export version; later, the domestic Japanese version was equipped with English subtitles and sent to the United States. Both circulate. Leni Riefenstahl's great documentary of the 1936 Olympic games, *Olympia,* was actually made in seven distinct versions,

*Emil Jannings in Josef von Sternberg's* Blue Angel *(1930) which was produced in the original German and an English dialogue version, the latter being less decadent. Courtesy of the Museum of Modern Art, Film Stills Archive.*

each emphasizing the accomplishments of the country for which it was intended. The English version was released here in 1940 and is still available. In 1963 Riefenstahl restored Olympia from material available in Germany by editing the English sound track to the German picture, eliminating all sequences involving narration which were unique to either one, and chopping out shots of swastikas, Nazi salutes, and the fuehrer. This new Riefenstahl version is also distributed in the United States.

**Variant Presentations**

Scholars must also consider the presentation as part of the text, for a film is not just a reel of matter, it is also an experience. A silent movie shown at the correct speed in a tinted 35mm print and backed with a live orchestra is quite different from a black-and-white Super-8mm copy of that same production. The same considerations apply to contemporary films.

Is *2001: A Space Odyssey* the same film in Cinerama as on 16mm? Is *Star Wars* the same film in 35mm as in 70mm with Dolby stereo? Is *Fantasia* the same without Fantasound?

What about films made in wide-screen formats which are optically panned and scanned for television, videodisc, and videocassette? The need to keep the principal characters within the cropped picture often changes the rhythm of

American projectionists have almost always been men, or because 35mm theatrical film is heavy, bulky, and often dirty and oil splattered, that we find very few female collectors.

Nostalgia naturally is a large part of older film collectors' motivation. Given time, however, many collectors shift attitudes. The collection they gathered to relive their childhood often takes on new importance to them. As a collector observes over the years that the films he holds are difficult to obtain and not shown on television, he suspects that his films may be rare (or perhaps hopes so) and holds on to them because he thinks they are valuable and important. We have been fortunate in this respect, since many of the collectors we locate have instinctively felt that their films are important to others as well as to themselves. And if a film they hold is silent, the odds are very great that we want to preserve it. Such interest by a national institution confirms the film's importance to the owner and implicity justifies the time and trouble he took to keep it. In most of these cases he is delighted to hear from us and often makes an outright gift of the film for preservation.

Interestingly, the next most common reaction is for the collector to want to exchange the 35mm originals for new copies of the same film on safety base. In these cases, the common denominator is the owner's desire for copies of the very films that he had kept, rather than for copies of other, often more important films. The cost of new prints in 35mm is high, and we normally offer only 16mm copies of the 35mm originals. Generally this satisfies the collectors, whose basements are often equipped with projection facilities for 35mm, 16mm, and super-8mm.

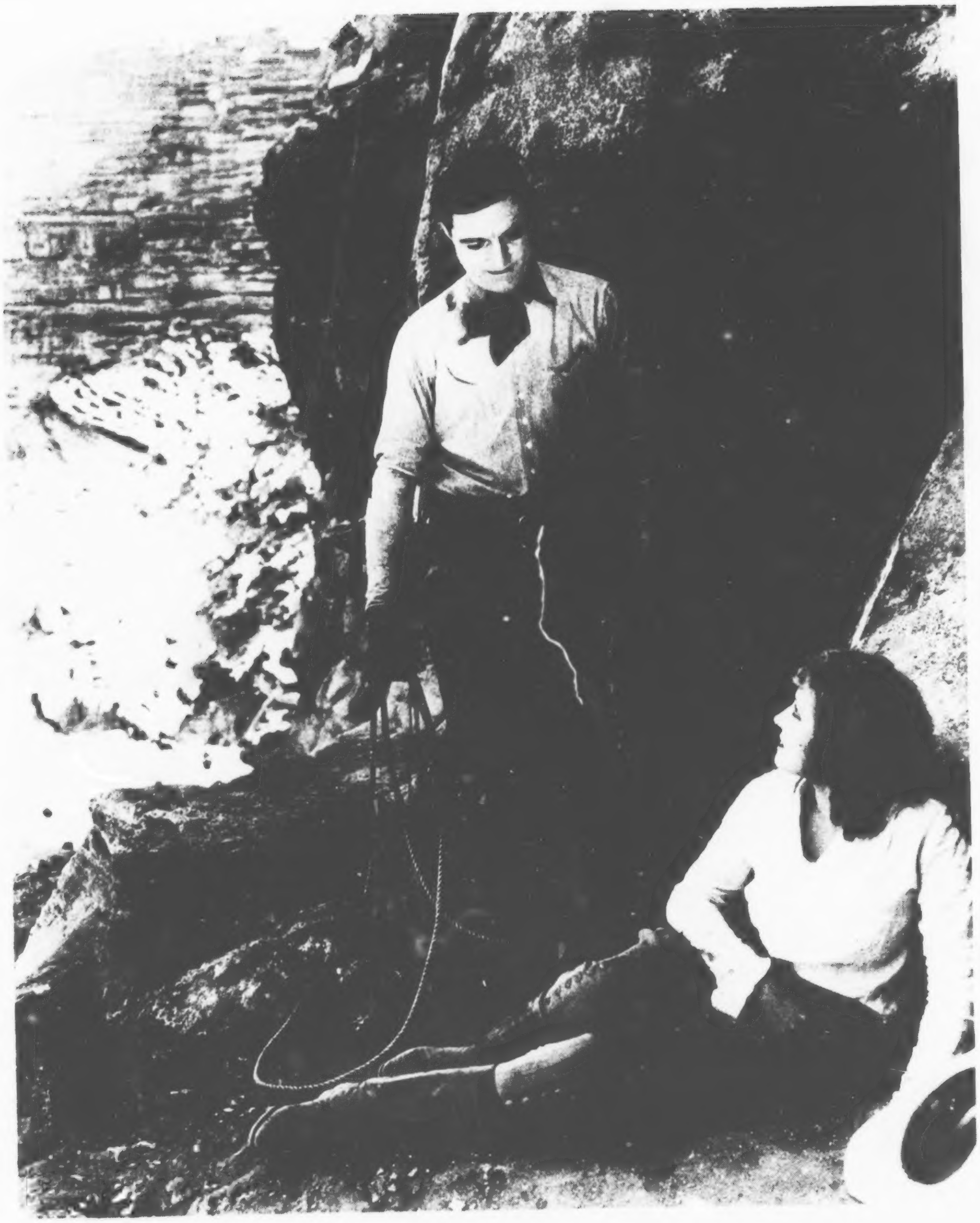
We also encounter collectors who are only interested in getting as much money for their films as possible. Arrangements to secure films from them are the most difficult to make, especially when the asking price starts at thousands of dollars per ten-minute reel. These extravagant prices are asked infrequently, but several years of correspondence is generally needed before the owner finds that no archive can pay them. Our own budget for film purchases is very small, and we normally pay $5 to $10 per ten-minute reel of nitrate film. This forces us to rely upon the goodwill of collectors.

We sometimes resort to bartering for the films we want. One of our most unusual exchanges involved a coin collector who had a small collection of early teens features. One of them, a 1916 Mutual production, was ten reels long, quite unusual for that period. He was willing to trade for a Carson City Silver Dollar, which he needed to complete his collection. We obtained the silver dollar, traded it for the film, and were hopeful that he would like another silver dollar for another important feature in his collection. Unfortunately, he only needed one silver dollar, but he was willing to trade the remaining film for a World War II Nazi helmet. It took us six months to locate an antique dealer who could supply the helmet, but we finally were able to close this transaction, perhaps the most complicated trade in which we had become involved.

### Piracy and Copyright

Modern distribution patterns for motion pictures generally do not include a "first sale" such as with books, which gives the owner of the physical object the right to possess it and to use it in certain limited ways. Most motion pictures today are licensed to exhibitors for a limited period of time during which the film is screened, and then the print is returned to the copyright owner. Lawyers for motion picture companies usually take the position that *any* film copy of a motion picture produced by their company which is held in private hands is an illegal, bootleg copy that is the property of their company. Naturally, film collectors have their own responses and counter-accusations, but the net result is mutual mistrust as well as fear on the part of the collectors. All of this puts a film acquisition program into a difficult middle position and presents very delicate problems as we attempt to work with both the collectors and the film companies, while at the same time retaining their trust and goodwill.

Since the Library has built an excellent collection of modern motion pictures through the mechanism of copyright deposit, there has been no need to acquire or even to express any interest in collector prints of recent films. This word has reached most collectors and the film dealers with whom we work, and consequently it is very seldom that we are offered "hot" copies of new films.



*Tom Mix and Eva Novak in* Sky High, *part of the "Alaskan Cache." Museum of Modern Art, Film Stills Archive.*

*In the early decades of the century, a film distributor who had sent a print of a film to an outlying region might find it cheaper to abandon it there than to have it returned. Knowing this Laura Bland of Alaska Methodist University in Anchorage traveled by small airplane and dog sled into the frozen wilds of Alaska in 1972. She made her way in thirty below weather to the town of Pilgrim Hot Springs and there recovered four films, nitrate prints stored in a warehouse. One of the films was a single reel from a five-reel feature,* Sky High, *made by Tom Mix in 1922. The reel was later matched with the four others, which were in the possession of a private collector in the Southwest. The collector had bought the incomplete film from an antique dealer who had purchased it in Alaska years before. The cache also included a lost John Ford film,* Mother Machree *(1928) and a lost Howard Hawks film,* Trent's Last Case *(1929).*

As for older films which may be protected by copyright, most collectors do not have the legal resources to determine the copyright status of films they own. Since the only use they normally make of nitrate prints is for screenings in their own homes, they feel that they do not need to be overly concerned with copyright. If we were offered a film protected by copyright, we would acquire it only if it were the only known surviving copy. We would turn the film over to the Library for preservation, but any subsequent use of the preservation copies or the original film would require the consent of the copyright owner. In cases like this, the copyright owner usually does not object, since he is thus able to obtain copies of the film. In some cases, the copyright owner is the first party to obtain a copy of his own film, using the AFI as a middleman to deal with what he often considers to be a "film pirate."

On the other hand, we have to be extremely careful when making a copy of a film for trading with private collectors. Copyright involving motion pictures can be very complicated, especially when there are underlying rights in literary properties or in musical compositions. If there is the slightest possibility of any rights still existing to a film, no copies are ever given out. In this

*Soprano Mary Garden, showing her medals, arrives in Hollywood to star in Goldwyn silent films.*

phone," wrote James Agate, "but . . . with all of its faults, it is at least 100 times better than Movietone." He cited a demonstration of Movietone which, in his opinion, "demonstrated Movietone out of existence. We saw and heard an Italian baritone [Richard Bonelli] singing 'Largo al Factotum.' That is to say we saw him all right but heard as much of him as if we had been late for a performance at the Queen's Hall and were listening through closed doors."

Aldous Huxley concentrated not on the sound reproduction—"artificial voices . . . gramophone-like noises"—but on the picture, taking exception to "a series of apocalyptic close-ups of individual performers gigantically enlarged . . . singing and at the same time registering the emotions appropriate to the musical circumstances . . . the human countenance smiles its six-foot smiles, registers soulfulness or grief, whimsicality or libido with every square centimeter of its several roods of pallid mooniness . . . opens and shuts its thirty-two inch eyes . . . the spectacle was terrifying."

Close-up pictures of an opera singer hitting a note at a high volume often are unattractive. The face shows the actual strain in sending a note to the second balcony; the mouth is twisted out of shape to accommodate the vowel being produced. If the singer "mouths" to a playback of a recording made before filming to avoid the strain and facial distortion, movie audiences may be able to detect that he is not really singing.

"On the subject of close-ups," wrote Agate of Vitaphone, "the Messrs Warner have not asked themselves whether serious concertgoers habitually provide themselves with telescopes . . . or whether the sight of some pimply Teuton blowing through wreathed moustaches his wreathed horn will bring the castle of Venus nearer to the mind's eye or remove it altogether."

In October 1926 a Vitaphone short appeared featuring Reinald Werrenrath, an outstanding oratorio singer who had experience at the Met. More importantly, as a member of the Victor Opera Quartet, he was a veteran radio baritone who recorded predictably. "He does not screen as well as he records" noted a *Moving Picture World* reviewer. "His face was singularly devoid of expression." *Photoplay* noted that "the producers made the mistake of dressing him up in an illustrated song costume and then having little birdies twitter in the background, all wrong." Paramount didn't learn from Warners' mistake. Their Werrenrath film made four years later had the "world-renowned concert baritone" sing "There's a Long, Long Trail" in a woodland camping scene.

The Vitaphone program of short subjects released in August 1928 included the Polish dramatic soprano Rosa Raisa, two years after she created the title role in Puccini's *Turandot* in its premiere. For the sound film she demonstrated her flexibility and power in a duet from *Il Trovatore* with her husband, baritone Giacomo Rimini.

Mme Raisa, who spent comparatively little time in recording studios, did appear in other Vitaphone shorts filmed on the stage of the Manhattan Opera House in New York, in which she sang "Plaisir d'Amour" and "Eli, Eli" surrounded by enough flowers for a gangster's funeral. Her close-up seems to reveal momentary consternation at a fluff in the piano introduction and her awareness that the director is not going to stop and start over again before she must get back in character and sing "La Paloma" in the Spanish style which it requires. Star singers, accustomed to dominating the stage, obeying only a conductor, may have been anxious when they found themselves at the mercy of the technical apparatus of the sound film.

**Golden Voices, Popular Songs**

Audiences wanted to hear the greatest voices in the most lightweight music. The Vitaphone vocal repertoire was scarcely all-operatic. The "glorious diva," soprano Frances Alda, followed "Ave Maria" from *Otello* with "The Star Spangled Banner," and Ernestine Schuman-Heink, one of the finest contraltos of her day, sang for the Vitaphone in 1927 not only Schubert ("Der Erlkoenig") but also ditties which were the encores at recitals of the day: "Danny Boy" and "By the Waters of the Minnetonka." Substance vied with schmalz.

Martinelli began what would become a dozen Vitaphone shorts singing heavily operatic fare, such as two scenes from act 4 of Halevy's *La Juive,* in which he appeared in one of his favorite roles as the blacksmith, Eleazar; gradually, he shifted from appearing in Vitaphone scenes from opera—*Aida, Martha, Carmen, Faust,* and *Il Trovatore*—to appearing as a gondolier singing "Come Back to Sorrento," as a troubador singing "Estrellita" in a Spanish garden, or as a wagon driver in a gypsy camp, cracking a whip and singing "The Life of a Gypsy," surrounded by dancers and extras, in an anticipation of the visual style of the early TV series "The Voice of Firestone."

The success of Warners' musical shorts prompted Fox, MGM, and Paramount to compete in kind. Baritone John Charles Thomas sang the prologue to *I Pagliacci* for Vitaphone, as did baritone John Barclay ("The World's Tallest Baritone") for Vitaphone, so Richard Bonelli sang it for Fox. Frances Alda sang "The Last Rose of Summer" for Vitaphone, so Mme Marie Kurenko sang it for Metro Movietone Acts. When the song "Pale Moon" was sung in Vitaphone films in release about the same time by baritones Barclay, Knight MacGregor, and Chief Capoulican ("the only Indian in grand opera"), as well as by the Hungarian tenor Joseph Diskay, movie audiences may well have had a feeling of deja vu.

By May of 1929 Warners reported that six hundred sound shorts were "in the can" and that seventeen hundred theaters were renting the Vitaphone subjects. But audiences tired of literal recordings of "ten-minute turns." Edison epic films. They provided pretexts for scenes of singing: quieting a crying baby with a lullaby, singing a song in a cabaret at the urging of a bandleader, and singing for charity at a benefit performance, as well as duets and solos onstage in *A Masked Ball.* Gigli performs Bizet's "Agnus Dei" and an aria from *Andrea Chenier,* with which he customarily brought down the opera house.

Between vocal numbers *Mutterlied* waxes melodramatic. Gigli's co-star, the lovely dramatic soprano Maria Cebotari, is accused of murdering a baritone who earlier had abandoned her and their illegitimate son. Finally cleared of the murder charge, Cebotari lies deathly ill in the prison hospital. In the prison chapel Gigli sings a religious song which is piped over the prison's public address system to Cebotari's ward, apparently restoring her to health. Gigli marries her and adopts the child.

Violence is an element in another Gigli vehicle from the Rome-Berlin axis, *Self Defense* (1940), which requires him to kill the crooked American impressario for the ballet dancer who has become his wife and allows him to sing the music of Puccini, Cilèa, and Wagner.

Gigli plays himself in the wartime *Dream Music* (1940), a hybrid of backstage romance at the opera house and Busby Berkeley-like revue numbers. *Dream Music* is typical of films in which there is no acknowledgment of the existence of the war. It escapes the too-grim present without resorting to period drama, by focusing narrowly on characters whose vocations are sufficiently innocuous: composers, singers, chorines.

A dozen blondes climb out of a dozen satin-sheeted beds as in *The Kid from Spain* or *The Great Ziegfeld;* boats sail on an on-stage lagoon as in *Top Hat;* gold lamé-clad blondes dance on a huge phonograph record as in *The Boy Friend* (1970). The presence of such elements in a singer film is explained by the composer-hero who must choose between writing for revues or opera. A new opera by him (actually written by Riccardo Zandonai) features Gigli in an ample toga as "Ulysses" singing to the "Penelope" of a beautiful blonde Austrian soprano, Marte Harell, who also joins him in the duet from the first act of *La Boheme.* In *Dream Music,* the singer film and the girl-spectacle movie go together like alternating layers of steak and meringue in a club sandwich.

"For nearly a quarter of a century of fascism," wrote film historian Paul Rotha, "nothing emerged . . . that could be taken seriously. Mussolini's men tried everything . . . nothing availed . . . the musical *La Bohemes* reflected nothing but the frozen values of a paralyzed society. Even the fascists were bored by them."

Gigli's co-star in the complete 1939 recording of *Madama Butterfly,* the girlish-sounding soprano Toti dal Monte, made her film debut a bit past her singing prime, at the age of forty, in *Carnival of Venice.* She was cast as a widowed foreman of a cigarette factory who improves morale and increases productivity by singing to the workers.

At a practice at home dal Monte demonstrates to her daughter, a reluctant voice student, the floating pianissimo for which she was renowned in an aria from *La Somnambula.* Eventually a plot emerges: the daughter is to make her singing debut on a live radio broadcast, her identity to be kept secret as a publicity stunt launching "the nightingale of San Marco Square." When the daughter is stricken with terminal mike fright, her mother substitutes for her, singing, from behind a screen, a solo which dal Monte customarily interpolated into the singing lesson scene of *Barber of Seville* in her stage performances, variations on "Carnival of Venice" a showpiece which melodically resembles the 1953 American novelty song "(How Much Is That) Doggie In the Window?"

The device of disguising one's identity through the anonymity possible in radio also figures in a film starring one of the most refined stylists of all lyric tenors, Tito Schipa, who had made his film debut for Paramount in 1929-30 singing "M'appari" in peasant costume, seated on a chair, holding a flower in his hand.

In this film Schipa portrays an opera singer who kills another singer onstage during a performance. Extenuating circumstances limit his sentence to a long stretch at hard labor in the penitentiary whose name gives the film its title, *The Land of Fire.*

Unfortunately, Schipa, when required to express intense emotions through pantomime, begins to resemble the Italian music hall comic Toto. Mistreated by other prisoners, he takes refuge in the prison chapel long enough to sing "Ave Maria." (When a tenor in a movie enters a chapel, he either sings "Ave Maria" or "The Lord's Prayer," depending on the locale of the story.) Schipa is pardoned and, after singing songs in night clubs, discovers his long-lost daughter in an adjoining practice room.

Schipa resumes his operatic career under an assumed name with an audience containing his wife, daughter, his daughter's fiance, and an old enemy, who shouts Schipa's true identity to the audience. His prospective son-in-law defends him and quiets the mob. Schipa rallies and wins over everyone with a velvety rendition of an aria from *Werther.*

**Opera Parallele**

A dubious refinement allowed the singer's offstage emotions to parallel those of the character he portrays at almost the same moment in an onstage performance. This conceit, "opera parallele," allowed Gigli to maintain a nobly suffering expression with deadly concentration during the serious business of acting and then express his pentup offstage emotions through an emotionally appropriate aria onstage.

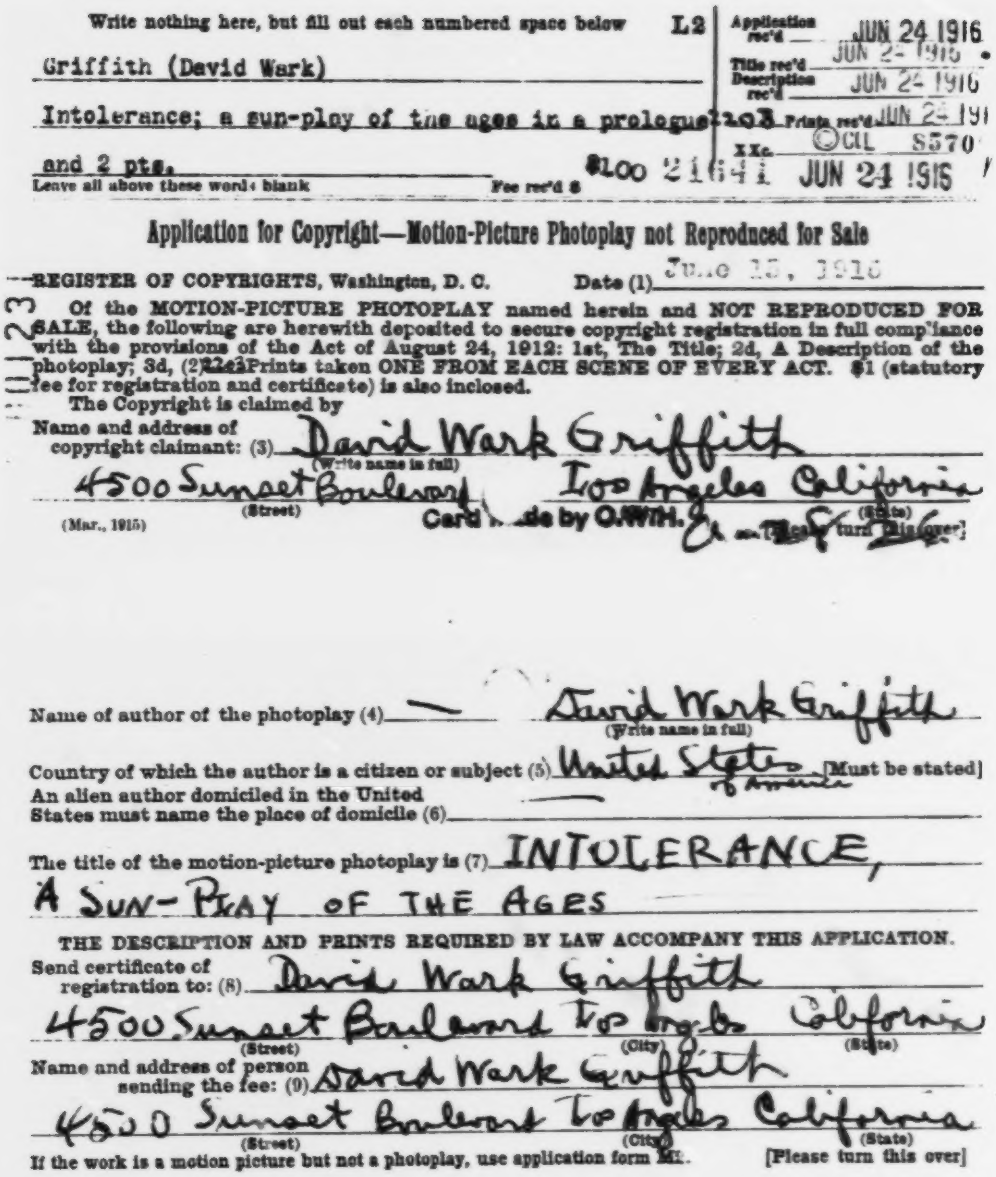
In *Ave Maria* (1936), the character played by Gigli learns that he has been deceived by "Claudette," a professional confidence woman with whom he has become infatuated, just at the moment when he must make his entrance onstage in the scene in *La Traviata* in which the tenor insults the soprano by flinging money at her. Gigli scarcely looks at his onstage "Violetta" (Erna Berger). Instead, he directs his anger at "Claudette," seated in a box above the stage.

*Opera parallele* reaches a pinnacle of sorts in *The Charm of Bohemia* (1937): the singer played by Marta Eggerth is a contemporary *doppelgänger* for the "Mimi" of Puccini's *La Boheme,* who actually dies at the same moment that "Mimi," the character she is portraying, dies in the plot of the performance onstage. Kiepura and Eggerth remade the film a decade later in an Italian version known as *Addio, Mimi* and an English version called *Her Wonderful Lie,* the title of which can only refer to keeping her terminal tuberculosis a secret.

In *Laugh, Pagliaccio,* a gloomy drama of the life of a man whose story inspired Leoncavallo to write his opera, Gigli's participation is limited to a drinking song and a few onstage moments from Leoncavallo's opera, perhaps due to the changing relations between Rome and Berlin by 1943. Hans Hotter's dark, compelling baritone is heard in the prologue, but his face is quickly covered over by the main title credits which are superimposed over it.

*Baritone Tita Ruffo in* L'Africaine, *a 1927 MGM short subject. Courtesy of Tony Slide.*

*At the time D. W. Griffith submitted two applications for copyright registration for* Intolerance, *the Library of Congress was registering motion pictures for copyright as a distinct form but usually did not retain copies of them for deposit because of the unstable, combustible nature of nitrate film. Paper descriptive documents were kept to support the registration. Griffith's first application, believed to be in his own handwriting, was dated June 15, 1916, and received by the Copyright Office on June 24, 1916. It is not known why Griffith used the intriguing subtitle "A Sun Play of the Ages." A second application was registered on September 5, 1916, as simply* Intolerance.



Write nothing here, but fill out each numbered space below L2

Griffith (David Wark)

Intolerance; a sun-play of the ages in a prologue 2203

and 2 pts.

Leave all above these words blank Fee rec'd $ $100 21641

Application rec'd JUN 24 1916

Title rec'd JUN 24 1916

Description rec'd JUN 24 1916

Prints rec'd JUN 24 1916

XXc. ©CIL 8570

JUN 24 1916

**Application for Copyright—Motion-Picture Photoplay not Reproduced for Sale**

REGISTER OF COPYRIGHTS, Washington, D. C. Date (1) June 15, 1916

Of the MOTION-PICTURE PHOTOPLAY named herein and NOT REPRODUCED FOR SALE, the following are herewith deposited to secure copyright registration in full compliance with the provisions of the Act of August 24, 1912: 1st, The Title; 2d, A Description of the photoplay; 3d, (2)2203 Prints taken ONE FROM EACH SCENE OF EVERY ACT. $1 (statutory fee for registration and certificate) is also inclosed.

The Copyright is claimed by

Name and address of copyright claimant: (3) David Wark Griffith (Write name in full)

4500 Sunset Boulevard (Street) Los Angeles California (State)

(Mar., 1915) Card made by O.WTH. [Please turn this over]

Name of author of the photoplay (4) — David Wark Griffith (Write name in full)

Country of which the author is a citizen or subject (5) United States of America [Must be stated]

An alien author domiciled in the United States must name the place of domicile (6) —

The title of the motion-picture photoplay is (7) INTOLERANCE,

A SUN-PLAY OF THE AGES

THE DESCRIPTION AND PRINTS REQUIRED BY LAW ACCOMPANY THIS APPLICATION.

Send certificate of registration to: (8) David Wark Griffith

4500 Sunset Boulevard (Street) Los Angeles (City) California (State)

Name and address of person sending the fee: (9) David Wark Griffith

4500 Sunset Boulevard (Street) Los Angeles (City) California (State)

If the work is a motion picture but not a photoplay, use application form M. [Please turn this over]

4, 1916. As was his custom, Griffith accompanied the film on its first showing in major cities, cutting the prints at the theaters in an effort to improve it. In 1919 he cut into the original negative—somewhere between 13,500 and 13,700 feet in length—without making a duplicate in order to make new films from two of the stories in *Intolerance: The Fall of Babylon* and *The Mother and the Law.* Consequently, it has never been possible to restore the *Intolerance* negative to its original state. The master print in the collections of the Museum of Modern Art is missing two reels and measures only 11,811 feet.[10]

Some critical reviews after the New York opening acclaimed Griffith's genius and declared the film a spectacle. Other reviews were generally favorable to Griffith but expressed some reservations about the film itself, which was a box office failure.

Although attempts have been made from time

*Griffith sent with his first copyright application for* Intolerance *2,203 frames cut from a nitrate print of the film, one from each scene of every act. The slides were tinted and toned and arranged in numerical sequence. The title and opening scene frames, mounted on paper in the original order, are shown here. The film opens with "The Modern Story," and frames mounted on this page show both the Jenkins home and one of the Jenkins mills. The setting then shifts to a scene near the Jaffa gate in Jerusalem. Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*

Intolerance .. 1916

D. W. GRIFFITH
Presents
Intolerance
A Sun-play of the Ages
Foreword
Out of the cradle endlessly rocking.
They want money for their ambitious plans.
There's drinking in saloons
Near the Jaffa gate

# Anita Loos

Anita Loos, novelist, playwright, scenarist, and child actress, began writing at the age of eight years. Probably best known for her witty novels of the 1920s, Gentlemen Prefer Blondes and But Gentlemen Marry Brunettes, she has written four novels, three nonfiction books, at least eleven plays, and countless movie scenarios and scripts—more than two hundred in the silent film era alone.

Anita Loos was born on April 26, 1893, in Sissons (now Mount Shasta), California. When she was four, her family moved to San Francisco and her father, a newspaperman, acquired a paper he called The Dramatic Review. Later, she would contribute music and theatrical reviews to it. As a child of eight, she won an award for an advertisement she wrote for St. Nicholas Magazine.

In San Francisco, her father launched her on a career as an actress, arranging for her to be cast in May Blossom, a play by David and Walter Belasco, in Quo Vadis, and in the American premiere of A Doll's House. When the family moved to Los Angeles, where her father managed the Cineograph Theatre, she regularly performed in comedy sketches presented there.

In 1906 her father helped to form a stock company in San Diego, for which he was a producer and she was a featured player in such plays as Little Lord Fauntleroy, East Lynne, and The Prince Chap. Between acts at the Rudwin Theatre, the stock company entertained the audience by showing short movies, which she watched from backstage. One night she realized that a movie required a script of some kind and the next morning worked out a plot, found the Biograph Studio address on a film can, and mailed her manuscript to them signed, "A. Loos." In about two weeks she received an acceptance letter from the Biograph Company for "The New York Hat," for which she was paid twenty-five dollars. Directed by D. W. Griffith and costarring Mary Pickford and Lionel Barrymore, The New York Hat was released in 1912.

By 1915 she had sold over a hundred scenarios, mostly comedies, to the Biograph Company and some to the Vitagraph, Kalem, and Selig Studios. She joined the scenario department staff at Biograph in 1915 as a writer on a regular salary of fifty dollars a week with extra pay for any accepted script she might write. Moving with Griffith from Biograph to Mutual, then to Triangle, she collaborated on scripts with Triangle director John Emerson. Emerson used her script to write titles for the first time for Douglas Fairbanks in His Picture in the Papers (1916). The success of the film convinced Griffith to use titles in all of his films.

Anita Loos and John Emerson were married in 1919 in New York, where they had been producing their own films, partly in association with Joseph M. Schenck. The couple also collaborated on two books, Breaking into the Movies (1919) and How to Write Photoplays (1921). In addition, she wrote two Broadway plays, The Whole Town's Talking (1923) and The Fall of Eve (1925).

She became internationally famous in 1925 with the publication of Gentlemen Prefer Blondes. First appearing in installments in Harper's Bazaar in 1925, it was published in book form in 1926 and has gone on to eighty-five editions and been translated into at least fourteen languages. Her stage adaptation had its premier in New York at the Times Square Theatre in September 1926. With Joseph Fields, she wrote the book for the musical version which opened at the Ziegfeld Theatre on December 8, 1949, with Carol Channing and ran for two years.

She and Emerson toured Europe for much of 1928, but the crash of 1929 forced her back to work. For the next eighteen years she wrote sound film scripts for MGM in Hollywood for such actors as Clark Gable and Jean Harlow. Films on which she worked included Red Headed Woman (1932), Saratoga (1937), and her favorite, San Francisco (1936), in which Clark Gable and Spencer Tracy starred.

In the mid-1940s, Anita Loos returned to New York with the stage play Happy Birthday, which she wrote especially for Helen Hayes. The play premiered at the Broadhurst Theatre on October 31, 1946, and ran for 564 performances. Several of her later stage plays were adaptations from French literature, among them the comedy Gigi (1951), The Amazing Adele (1955), Cheri (1959), and The King's Mare (mid-1960s).

Her book Kiss Hollywood Goodbye (Viking, 1974) is the second part of her autobiography; the first part, A Girl like I was published in 1966. She has been a widow since 1956 and for over twenty years has lived in an apartment across Fifty-Seventh Street from Carnegie Hall in her favorite city—New York. She likes to rise at four in the morning and write until ten and then devotes the rest of the day to reading, conversation, and the diversions of the city.

*Photographs of Anita Loos standing on the running board of a car and sitting with John Emerson. Courtesy of the Museum of Modern Art, Film Stills Archive.*

*Griffith, Shot-by-Shot Analysis* (New York: Museum of Modern Art, 1966), pp. iii-v.

6. Some of these newcomers included Lillian Gish, Mae Marsh, Robert Harron, Marguerite Marsh, Edward Dillon, Spottiswoode Aiken, Josephine Crowell, Ralph Lewis, George Siegmann, Elmer Clifton, Alfred Paget, Kate Bruce, Erich Von Stroheim, Eugene Pallette, George Walsh, Constance Talmadge, Tod Browning, Miriam Cooper, Joseph Henabery, Gunther von Ritzau, Elmo Lincoln, Tully Marshall, Monte Blue, Sam de Grasse, Lloyd Ingraham, and the Denishawn Dancers with Ruth St. Denis.

7. Barry, *D. W. Griffith*, pp. 50-51.

8. Reports of the height of the walls vary from 60 feet to 150 feet. In his book *Billy Bitzer: His Story* (New York: Farrar, Straus and Giroux, 1973), p. 134, Bitzer says 150 feet; Robert M. Henderson quotes *The Scientific American* as stating 135 feet in his book *D. W. Griffith: His Life and Work* (New York: Oxford University Press, 1972), p. 170. In the same work, p. 167, Henderson quotes Karl Brown as saying 60 feet.

9. Barry, *D. W. Griffith*, p. 51.

10. Ibid.

11. Ibid., p. 20.

12. Ibid, pp. 47-48.

13. Ibid.

14. D. W. Griffith, *The Rise and Fall of Free Speech in America* (Los Angeles, 1916).

15. Gish, *The Movies*, p. 165.

16. Miriam Cooper interview with author, Charlottesville, Va., November 3, 1974, pp. 195-96.

17. Anita Loos interview with author, New York, N.Y., January 11, 1974, p. 274.

18. Karl Brown interview with author, North Hollywood, Calif., February 10, 1975, pp. 162-63, 165.

19. Joseph Henabery interview with author, Tarzana, Calif., February 11, 1975, p. 259.

20. Loos interview, pp. 272-73.

21. Cooper interview, p. 196.

22. Brown interview, p. 165.

23. Ibid., p. 166.

24. Gish, *The Movies*, p. 177.

25. Henabery interview, p. 255.

26. Ibid., pp. 257-61.

27. Karl Brown, *Adventures with D. W. Griffith* (New York: Farrar, Straus and Giroux, 1973), p. 135.

28. Henabery interview, p. 256.

29. Gish, *The Movies*, p. 168.

30. Brown, *Adventures*, p. 136.

31. Lillian Gish interview with Anthony Slide, New York, N.Y., August 30, 1969.

32. Henabery interview, pp. 260-61.

33. Gish interview with author, p. 237.

34. Brown interview, p. 169.

35. G. W. Bitzer, *Billy Bitzer: His Story*, p. 135.

36. Loos interview, pp. 273-74.

37. Ibid., p. 275.

38. Ibid., pp. 275-76.

39. Kevin Brownlow, *The Parade's Gone By* . . . (New York: Ballantine Books, 1968), p. 71.

40. Gish, *The Movies*, p. 182.

41. Henabery interview, p. 261.

42. Ibid., p. 262.

43. Brown interview, p. 167.

44. Brown, *Adventures*, p. 174.

45. Ibid., pp. 173-75.

46. Brown interview, p. 165.

47. Brown, *Adventures*, p. 173.

48. Ibid., p. 175.

49. Brown interview, p. 167.

50. Ibid.

51. Loos interview, pp. 273-74.

52. Ibid., pp. 274, 276.

53. Ibid., p. 274.

54. Miriam Cooper (with Bonnie Herndon), *Dark Lady of the Silents: My Life in Early Hollywood* (New York: Bobbs-Merrill Co., 1973), pp. 111-12.

55. Gish, *The Movies*, p. 179.

56. Gish interview with Slide.

57. Gish, *The Movies*, pp. 179.

58. Ibid., p. 180.

59. Ibid., p. 181.

60. Henabery interview, p. 262.

61. Gish, *The Movies*, pp. 180, 187.

62. Ibid., p. 183.

63. Ibid., pp. 35-36.

64. Anita Loos, *A Girl like I* (New York: Viking Press, 1966), p. 121.

65. Loos interview, p. 268.

66. Loos, *A Girl*, p. 123.

67. Loos interview, p. 268.

68. Cooper interview, p. 180.

69. Brown interview, p. 158.

70. Cooper interview, p. 195.

71. Cooper interview with Anthony Slide, Charlottesville, Va., October 14, 1973.

72. Cooper interview with author, p. 180.

73. Cooper, *Dark Lady*, p. 36.

74. Brown, *Adventures*, p. 129.

75. Loos, *A Girl*, p. 123.

76. Loos interview, pp. 268-69, 271.

77. Brownlow, *The Parade*, pp. 63-64.

78. Gish interview with author, p. 227.

79. Gish, *The Movies*, p. 76.

80. Brown interview, p. 158.

81. Ibid.

# Filmmaking at the American Mutoscope and Biograph Company 1900–1906

### by Paul C. Spehr

In the hope of casting a clearer light upon film production from 1900 through 1906, a period that antedates trade press coverage, it occurred to me that there was a need to study specific examples. What follows is based on the American Mutoscope and Biograph Company production logs, which survive in the library of the Museum of Modern Art in New York and are available in the Library of Congress on microfilm; on Kemp Niver's compilation of the Biograph Company's bulletins;[1] and on my viewing, over a long period, of many Biograph films, some of which survive in the Library's Paper Print Collection. The production logs provide a chronological pattern of film production by one of the most important of the early American film companies. My study concentrated on the firm's production volume and frequency, the proportion of its films that were entertainment, the length of its films, the shooting locations, and the films' makers.

In 1900 the American Mutoscope and Biograph Company had a rooftop studio in New York City at 841 Broadway, the Hackett-Carhart building, near Union Square. The building had been the office of the Magic Introduction Company, owned by Bernard Koopman, who, in 1895, joined Henry Marvin, Herman Casler of Syracuse, and Thomas Edison's former employee W. K. L. Dickson in forming the K. M. C. D. Company, which soon became the American Mutoscope Company. Although the company was originally formed to produce movies on flip cards for the Mutoscope machines, it soon turned to producing films for projection in theaters as well. This led the firm into conflict with the larger and more dominant Edison Company—America's earliest major motion picture producer. Edison met this competition with a patent suit designed to restrict projection of the films.

In this early movie market, the competitive war was continually waged on two fronts—the legal one, with the suits involving interpretation of the patent laws, and the more direct one, whereby

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# Emile Berliner and Nineteenth-Century Disc Recordings

### by James R. Smart

A picture, says a Chinese proverb, is worth more than ten thousand words. A still photograph, however, no matter how artistic its lighting and composition may be, will present only one side of the total "picture." Life also consists of sounds. To have a good photograph of Phineas T. Barnum is an excellent thing, but to hear him speak of his "great show" is to be given an even deeper insight into his personality. A photograph of the Original Dixieland Jazz Band tells us little or nothing about its performance style, while a sound recording will tell us just about everything. Early sound recordings, those made before the photograph and the phonograph were melded into the sound motion picture, are aural pictures across time and space that allow us brief and tantalizing glimpses into a fast receding and increasingly foreign past.

The scientific art of sound recording and reproduction is just entering its second century. For all practical purposes, however, no playable recordings remain from the first ten years. Even so, we now have a large and priceless heritage of recordings reaching back a full ninety years. When one considers that many early performers were already fifty years old when they recorded, then it can be realized that we have the means of studying the styles and techniques taught as far back as the Civil War. For purely spoken recordings, the time limits can be pushed back even further. Gladstone and Tennyson, both contemporaries of Abraham Lincoln, are represented on now nearly worn out recordings, but Pope Leo XIII, born 169 years ago, can be heard on two good recordings. Other notable nineteenth-century personalities whose voices are preserved on recordings include such diverse figures as Robert G. Ingersoll, Thomas De Witt Talmage, Sarah Bernhardt, Chauncey Depew, Joseph Jefferson, Adelina Patti, Florence

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James R. Smart is a reference librarian in the Library's Motion Picture, Broadcasting, and Recorded Sound Division and is the author of *"A Wonderful Invention": A Brief History of the Phonograph from Tinfoil to the LP* (1977) and *The Sousa Band: A Discography* (1970).

Yours truly
E Berliner

*Emile Berliner, ca. 1875. Robert Sanders Collection, Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*

Nightingale, Ellen Terry, and Leo Tolstoy, all of whom were born well before the outbreak of the Civil War. In the fields of vaudeville and popular music there are a large number of recordings representing a variety of nineteenth-century personalities and styles.

Students of the nineteenth-century will find available in the Library of Congress a large number of recordings documenting many aspects of that period. One must, however, approach these early recordings with the understanding that their study requires some training in order to be able to concentrate on the recording without being distracted by surface noise, variations in speed, distant sound, a reduced range of frequencies, and all the other technical failings to which early recordings were heir. Frequently one must really work at listening, but those who can overcome the techical imperfections of the recording process will be amply re-to the fact that the stamper made from the zinc master would not stand up after more than a certain number of pressings (only one stamper was made). This meant that a piece either had to be rerecorded or else dropped from the catalog and a different selection substituted for it. If a selection was selling well and the company wanted to retain it in the catalog they would try to call back the recording artist for another go. If he was available, well and good. If, on the other hand, he was not available, then a different performer would be used. We find that many—perhaps hundreds—of Berliners were recorded at least two times by different artists. Some selections, such as the popular song "Put Me Off at Buffalo," were recorded by three different singers but the records all bore the same catalog number. There are even examples of the same title with the same catalog number recorded by four different performers. If this is reason enough for discographers turning gray, consider the fact that each of the four performers might themselves have recorded the title on two or more occasions. This multiplicity of recordings constitutes one of the most difficult problems in Berliner research.

In order to control these remakes, Berliner devised a system of letter suffixes to the catalog number, namely the letters *Z, Y, X, W,* and *V,* with *Z* being the first remake and *V* the last. Occasionally one finds double letters such as *ZZ* or *YY*. It is conjectured that after the fifth remake the letter series was begun again with double letters. This only happens with certain very popular titles. To further complicate matters, letter suffixes were used with a slightly different meaning. Record 901X is "La Marseillaise," first verse, while 901Y is "La Marseillaise," second verse. Again, record 3409 is "Last Rose of Summer" and 3409Z is "Last Rose of Summer" with variations. In such instances as these, the letters are used to indicate variant recordings or some departure from the original, although in another sense they can be considered remakes.

### The Berliner Gramophone Companies

From about 1893 or 1894 until mid-1895, the U.S. Gramophone Company was essentially a regional business. Advertisements were being carried in a number of popular periodicals across the country, but business was not expanding as quickly as was hoped. What was needed was increased capital and a nationwide distribution system. Also, the gramophone player was not doing well owing to trouble with spring motors. During 1895 Berliner dispatched Fred Gaisberg to Philadelphia, New York, and Boston to demonstrate the gramophone to prospective backers. The result was the assignment by the U.S. Gramophone Company of the right to manufacture records and machines to a New Yorker named W. C. Jones. Jones and some associates organized the Berliner Gramophone Company of Philadelphia as the manufacturing arm and, in October 1896, engaged Frank Seaman of New York City to handle the advertising and distribution of the materials. Seaman then helped establish the National Gramophone Company (later Corporation) to handle domestic distribution and passed on export rights to a man named F. M. Prescott. Meanwhile the first of the new Durinoid shellac pressings had become available and these improved discs were influential in convincing Jones and the others of the attractive future of the gramophone.

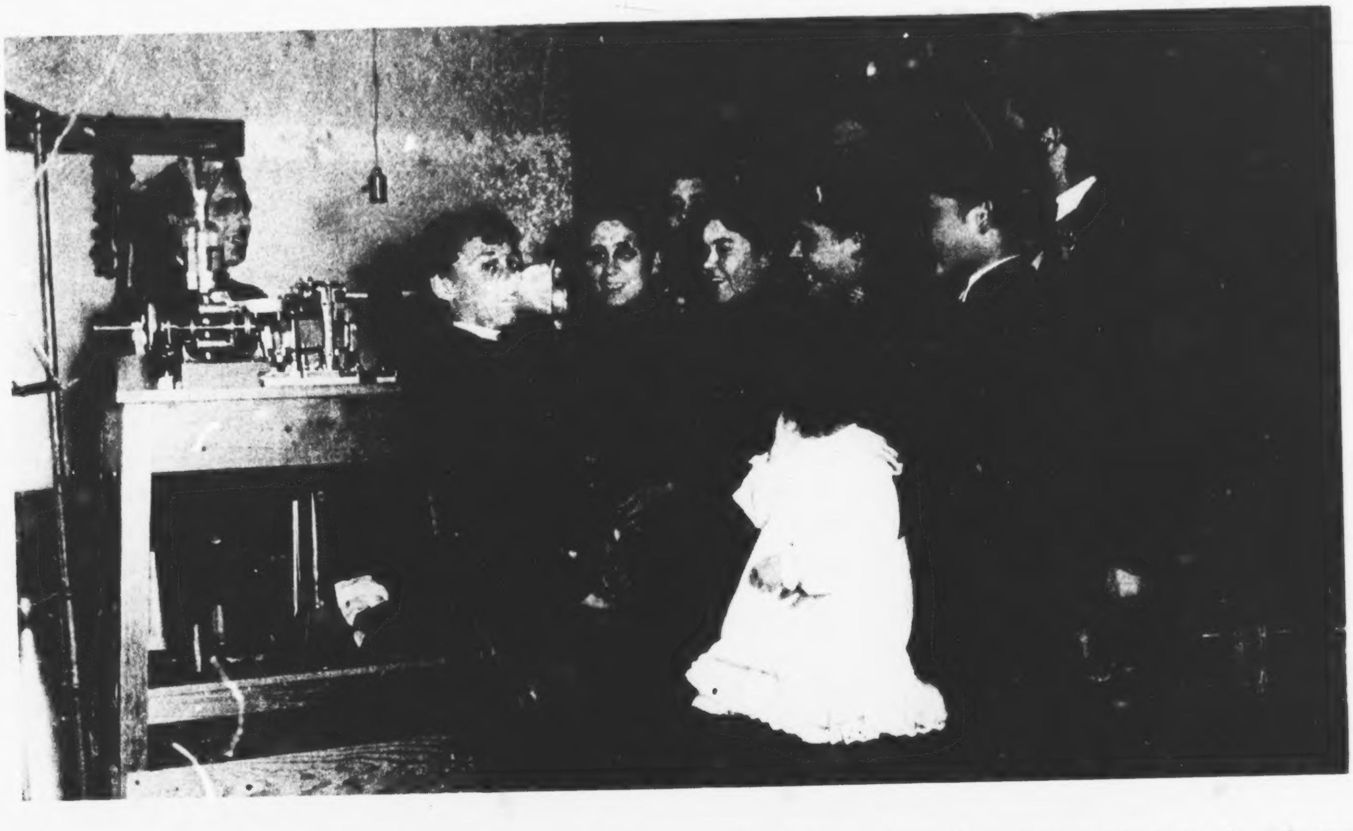
Still another major change took place at about this same time. The early hand-cranked apparatus had given way to a machine that could run on a spring motor and another model that could run on electricity. Many homes were not furnished with electricity at this period, and storage batteries were still clumsy affairs. As a consequence, it was the spring-driven machine that was most in demand. The gramophone company was having trouble finding a spring motor powerful enough to operate the turntable smoothly and quietly. Since the entire weight of the sound box and the horn was pressing down on the turntable, the motor required had to be stronger than the one used in cylinder machines with floating reproducers.

The publicity surrounding the opening of the Berliner Gramophone Company of Philadelphia caused a machinist in neighboring Camden, New Jersey, to become interested in the company and its machines. This was Eldridge R. Johnson, soon to become the founder and president of the giant Victor Talking Machine Company, successor to the Berliner Gramophone Company. In December 1900 Johnson was required to give testimony in yet another of the many patent infringement suits that were inflicted on the recording industry in the early days. He said, "After making a thorough study of the Gramophone as then constructed, I became convinced that I could devise and construct a machine which would be very much superior to the Gramophone as it then existed in 1896." After several unsuccessful attempts, Johnson succeeded in constructing a compact, sturdy, and attractive machine operating on a spring that could be easily wound by hand and capable of driving the turntable at a regular desired speed. A demonstration convinced Mr. Berliner and the other officials that this model machine was indeed superior to any built theretofore. On August 10, 1896, Mr. Johnson's machine shop received the first order from the Berliner Gramophone Company. From that time on all gramophone machines were constructed by Eldridge R. Johnson.

With the new Durinoid shellac pressings, the new springdriven machine, and the new Philadelphia office, and with recording services available in Washington, Philadelphia, and at the National Gramophone Company in New York City, the Berliner gramophone was ready to become not only a nationwide but an international business.

The years 1896 to 1900 must have been eminently satisfying to Emile Berliner. His great invention was assuming a larger and larger place in the growing record industry. Fully 85 percent of all domestic Berliner records still in existence date from those halcyon years. They were still recorded by the zinc disc etching method, but the shellac pressings had such a smooth surface that they helped greatly in overcoming the metallic sound of the master. New artists were constantly being added to the company's catalog, including the very popular monologist George Graham, operatic tenor Ferruccio Giannini, the Syrian star Maurice Farkoa, the great Sousa Band, vaudeville favorites Jessie Bartlett Davis and Alice Nielsen, and that whole stable of professional recording artists known to every collector of early records by the names Myers, Terrell, Porter, Quinn, Gaskin, Spencer, et al., a group that seems to have recorded for just about every company.

As an advertising stunt a recording demon-



*The Berliner family preparing to make a recording. Mr. Berliner is standing behind the recording machine. The bottle above the turntable holds alcohol which flows out over the zinc disc during the recording operation. Washington, D.C., May 15, 1898. Robert Sanders Collection, Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*

*Kathryn Grayson and Mario Lanza in* Toast of New Orleans. *Copyright © MGM 1950.*

In middle age, Gigli had both the profile and the contours of Babe Ruth and began to play the role of cupid to the young lovers in his films. In the United States, in MGM musicals of the forties, this role was assigned to the great *heldentenor* Lauritz Melchior.

In *Two Sisters from Boston* Melchior sang *Lohengrin* in a costume apparently fashioned for *Marie Antoinette* eight years earlier, which was complete with wig and beauty mark. Seemingly MGM had not progressed since 1930, when it dressed baritone Tita Ruffo, filming his famed portrayal of the African "Nelusko" in *L'Africaine*, in the war bonnet of an Indian of the Great Plains. A later MGM film with Melchior, *Luxury Liner*, presented an authentic-looking staging for a scene from *Aida* (but one had to look at it quickly: for every shot of Melchior singing, there were two of the audience watching.)

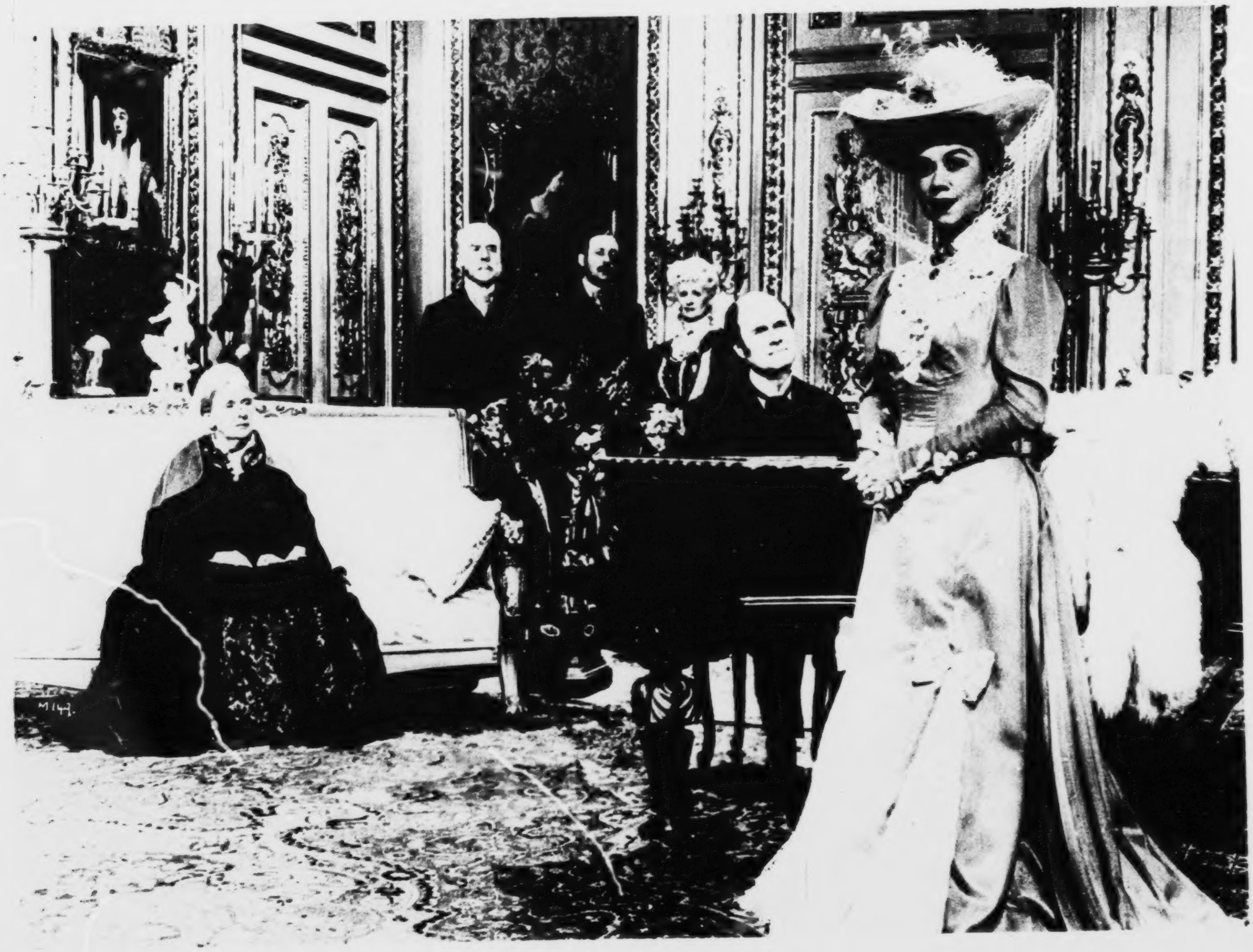
As late as 1948 in Italy a film starring a popular Neapolitan singer could be made for a total cost of sixteen million lira (at 600 lira to the dollar). A film technician's salary would be a fifth of that of his counterpart in Hollywood. Italy was able to resume a steady output of inexpensively produced films displaying popular opera singers, such as tenor Giuseppe Lugo of La Scala, Paris, and Brussels. Some were built around tenor Ferruccio Tagliavini as (a) a farmboy who wins fame in opera singing Mascagni, (b) an electrician who rises to concert heights singing Puccini, (c) the son of an eggplant processor who rebels against the family trade to crash the music business singing Donizetti.

### The Last Great Success

Joe Pasternak, who had been responsible for launching the popular opera-singing movie teenagers Deanna Durbin, Jane Powell, and Kathryn Grayson, produced the last great success of the singer films, *The Great Caruso* (1951), which ran for ten weeks at the Radio City Music Hall. In this quasi-biography, arias from eighteen operas are sung by Mario Lanza, a tenor who in 1949 achieved stardom through motion pictures. Lanza sings twenty-three times in 109 minutes and is supported by a group of prominent opera singers who lend an aura of authenticity of the film, including Jarmila Novotna in a nonsinging role.

The film's success prompted one of the last of the vehicles produced for an opera singer, *Melba* (1953). It begins with Patrice Munsel as the famous Australian soprano singing "Comin' Through the Rye" for Queen Victoria (who is amused) and ends with Munsel singing "On Wings of Song." In between, she sings arias from eight operas and one popular song. These are interpolated into a script which is a throwback to those of the singers' vehicles of the mid-thirties.

In the early fifties MGM built films around the great bass Ezio Pinza as an opera star or a foreign ruler, romancing Janet Leigh or Lana Tuner. However, MGM was unsuccessful in



*Patrice Munsel in* Melba. *Copyright © United Artists Corporation 1953.*

to time to revive the film, especially in Europe, *Intolerance* has never been a popular success. But the film has had a lasting impact on the art of filmmaking and holds an important place in film history.

### The Intolerance Theme

*Intolerance* cannot be discussed without reference to its predecessor, *The Birth of a Nation,* released the previous year. Some silent film scholars feel *Intolerance* was Griffith's apologia for the racial bigotry portrayed in *The Birth of a Nation* and demonstrated his penitence for the violence the first film engendered wherever it was shown. Others believe that *Intolerance* was strictly a commercial enterprise and in no way reflected any change in Griffith's attitude. Although Lillian Gish, Karl Brown, Miriam Cooper, Joseph Henabery, and Anita Loos all have differing views on Griffith's purpose and accomplishments in both films, they seem to agree that Griffith fought all of his life for the right of freedom of speech and creative expression.

*The Birth of a Nation,* released in 1915, was a tremendous success for Griffith and established a place for him in film history. The film has been considered by some to be the single most important motion picture ever made. Iris Barry has stated that the picture established the film genre as the "most persuasive of entertainments and compelled the acceptance of the film as art."[11]

First shown as *The Clansman* in Los Angeles on February 8, 1915, and as *The Birth of a Nation* at the Liberty Theatre in New York on March 3, 1915, the film was twelve reels long. It was based on *The Clansman* and *The Leopard's Spots,* both written by the Reverend Thomas Dixon, Jr.

Public response to it was overwhelming, but from the beginning the film was met with extraordinary protests and demands for censorship. Even today it stirs up controversy. Although portions of the film are deemed racist and inflammatory, few have considered Griffith himself as being a racist. Iris Barry states that the film was "a Southerner's honest effort to portray events still very close to the experience of the community in which he grew up."[12] She goes on to say that

> Griffith had the native attitudes of the Southern tradition. At the same time he was a nineteenth-century romantic. But above all he was a dramatist; he was a genius at portraying emotion by means of the language of the screen.[13]

Much of the film's early success can be attributed to the controversy it aroused. Demonstrations and violence flared when the film was shown in Boston, Philadelphia, and other cities across the country. The protests and demands for censure may have angered Griffith, but they also created profits—the more protests, the more publicity, the bigger the crowds, and the larger the take at the box office.

Griffith's public response to the bigotry charges leveled at him was couched in terms of censorship and guaranteed freedoms. The protests and demands to censure *The Birth of a Nation* seemed outrageous to him. He consistently defended the right of the motion picture to share with literature the privilege of free speech. In 1916, he published a pamphlet, *The Rise and Fall of Free Speech in America,* in which he condemned all censorship and defended the extension of the First Amendment to film. The word "intolerance" appears frequently throughout this declaration and lends credence to the notion that the title of Griffith's next film was no coincidence. One paragraph in particular points to a defense of his integrity and challenges his detractors to criticize his second answer to their intolerance—his film *Intolerance:*

> The reason for the slapstick and the worst that is in pictures is censorship. Let those who tell us to uplift our art, invest money in the production of an historic play of the time of Christ. They will find this cannot be staged without incurring the wrath of a certain part of our people. The Massacre of St. Bartholomew, if produced, will tread upon the toes of another part of our people.[14]

Opinions of the interviewees vary as to how they thought public response to *The Birth of a Nation* affected Griffith's decisions on the production of *Intolerance.* Lillian Gish disclaims that *Intolerance* was a response to reactions to *The Birth of a Nation.* Miriam Cooper, on the other hand, claims that it was. Anita Loos states that there was nothing original in intolerance as a theme. Karl Brown and Joseph Henabery both look on the film as a business enterprise and as Griffith's attempt to capitalize on an opportunity.

In her autobiography Lillian Gish tries to dispel the theory that Griffith produced *Intolerance* as an apology for *The Birth of a Nation.* She suggests that Griffith in *The Birth of a Nation* showed on film what he had heard as a boy and believed to be true about the Civil War. Believing that Griffith had no reason to apologize for his film, Gish contends that *Intolerance* "was his way of answering those who, in his view, were the bigots."[15]

Miriam Cooper states that *Intolerance* was a part of Griffith's crusade against intolerance. "He wanted to show intolerance throughout the world through the ages through thousands of years of intolerance." She believes Griffith produced *Intolerance* because of the riots connected with the showing of *The Birth of a Nation* and because "people were so incensed at other people."[16]

In her interview, Anita Loos's reaction to intolerance as a theme for the film is somewhat negative. She does not see anything particularly creative or new about Griffith's idea that intolerance was the cause of everyone's troubles.[17]

Karl Brown agrees with Lillian Gish that Griffith portrayed the Civil War and Reconstruction in *The Birth of a Nation* as he thought the events had taken place. Moreover, he feels that Griffith, a showman and a businessman, produced his pictures to sell. Brown considers the reaction to the film and the riots around the country as "very good business. . . . Every riot meant another million dollars." He says that Griffith gave no indication at the time of filming *Intolerance* that it was in any way a reaction to *The Birth of a Nation*. Rather, Griffith was "just making another film." Although it was a bigger film than Griffith was used to making, Griffith himself, Brown believes, did not have the "faintest conception of what it was going to be like or what the reaction was going to be." Brown further states that Griffith did not care particularly about intolerance as such but had the impression that "everybody else did" and chose the theme because he thought it was popular.[18]

Joseph Henabery states that Griffith created *Intolerance* out of necessity. His impression is that Griffith found himself in an extremely awkward situation after the great popularity of *The Birth of a Nation* because nothing equal to it was ready for release. According to Henabery, Griffith felt the public would expect an even more spectacular film from him. Henabery has difficulty accepting the idea that intolerance is the overall theme of the film. He comments on his feeling in the interview:

> Naturally, people were looking forward to the next work of this great artist who had made *The Birth of a Nation*. What did he have to show? A lousy, old, stinking "quickie." I suppose like most directors he didn't want to show a bum picture. He began to look for ways that he could improve *Intolerance* or *The Mother and the Law*, as it was called. That's where he thought he was being treated unfairly. Intolerably, he said. So he got the idea of making a bigger picture by embellishing it with a few added scenes for the modern period but adding the St. Bartholomew episode, the Crucifixion, and the Babylonian episodes. I would say that first of all the kind of intolerance suffered in *The Mother and the Law* was not religious. But two of the things that he picked were religious intolerance—St. Bartholomew and the Crucifixion. He showed priests who were traitors but the major part of the picture was not devoted to that. Now, what was intolerance? God knows.[19]

One may conclude that after the tremendous reception of *The Birth of a Nation*, Griffith must have had second thoughts about releasing *The Mother and the Law* and decided to enlarge upon it and to expand the intolerance theme with three additional stories.

### The Production of *Intolerance*

Griffith rarely discussed his scripts, production plans, or financial affairs with anyone except Frank Woods, his business manager. The production plans for *Intolerance* were no exception. They remained one of Griffith's better kept secrets.

Anita Loos calls *Intolerance* the studio mystery. She indicates that no one knew what the film was about except Griffith and Frank Woods. It was a complete mystery to the actors playing in it. The filming went on for month after month, and the constant shifting of sequences from modern to ancient was confusing. The sets became enormous. She says, "We used to say, 'What is D. W. doing?' We never had the nerve to ask him."[20]

When Miriam Cooper was asked if she had any idea while the film was being made what Griffith had in mind, she responded, "He never told us. He never told my anything. [We did] what we were told. He wouldn't describe anything."[21]

Karl Brown concurs:

> No [we didn't know what the film was about], and to compound the felony, we didn't care. That's what he wanted. That's what we gave him. He was happy. So were we. We were all being paid.[22]

Brown recalls that Griffith had no plan or shooting schedule and that Griffith filmed

# Miriam Cooper

An acclaimed beauty and dramatic actress, dark-haired, dark-eyed, petite Miriam Cooper appeared in silent films between 1911 and 1923 for Kalem, D. W. Griffith, and director Raoul Walsh, her husband. She was born in Baltimore, Maryland, on November 7, 1891. After her father deserted her mother and the four children for Europe, the family eventually moved to New York, where she attended the Cooper Union High School. While at Cooper Union she earned money as a model for illustrators Harrison Fisher and Charles Dana Gibson, posing for oil portraits.

About this same time, Rita Wood, a classmate, and Miriam Cooper ventured into the Biograph Company studios at 11 East Fourteenth Street "to watch" and were asked to take part in a movie as extras—as scullery maids. The picture was A Blot on the "Scutcheon" (1911), directed by D. W. Griffith, and was her first movie. At the completion of the shooting of the scullery maid scene, for which she was paid $5.00, Griffith asked her to do a screen test, filmed by Billy Bitzer, but nothing came of it.

She then looked for jobs at the Edison and Vitagraph studios with no success, but Kalem on Twenty-Third Street took her on as an extra. Her roles became larger and she was invited to join a Kalem stock company in Florida for thirty-five dollars a week and expenses. During 1912 and 1913 she made possibly over a hundred one- and two-reelers for Kalem, mostly Civil War and railroad dramas in which many scenes were written around her excellent swimming, riding, and other athletic skills.

Back in New York in 1914, after asking for a raise and subsequently being fired from Kalem, she returned to art school and job hunting. Griffith was then at Reliance-Majestic and forming his company to film The Birth of a Nation in California. He asked her to go with him at thirty-five dollars a week.

Miriam Cooper played a major role in The Birth of a Nation (1915) as Margaret Cameron, the older Southern sister, and went on to play another major role in Griffith's Intolerance the next year as the Friendless One in the "Modern Story" portion of the film. This was probably her greatest acting achievement.

During the filming of The Birth of a Nation, she met and fell in love with a Griffith actor, Raoul A. Walsh. In February 1916 they were married secretly on an Indian reservation at Albuquerque, New Mexico. After the marriage, Walsh, who had become a director for Fox Film Corporation, returned to New York and she went back to Los Angeles to complete Intolerance. Shortly thereafter, however, she left Griffith to join Walsh in New York, turning down a role Griffith offered her in his proposed film on the Rubaiyat of Omar Khayyam.

From 1917 through 1922, she starred in films directed by Raoul Walsh for Fox Film Corporation and Mayflower Producers and films produced and directed by him for the Mayflower Photoplay Corporation and First National Pictures. Among them were The Honor System (1917), The Woman and the Law (1918), Evangeline (1919), The Deep Purple (1920), Serenade (1921), and Kindred of the Dust (1922). She earned $1,000 a week.

In 1922 she tried stage acting in an Archie Selwyn stock production in Springfield, Massachusetts, but was not happy with it and left after two weeks. Also in 1922, she joined Walsh in Tahiti where he filmed Lost and Found for Goldwyn Productions.

She appeared in six films during 1923, her last year in pictures. None of the films were directed by Walsh and none were particularly good or successful. Her last film was The Broken Wing for B. P. Schulberg Productions, directed by Tom Forman.

After her divorce from Raoul Walsh in 1928, she returned to New York with their two adopted sons, Jackie and Bobby. She became interested in writing and attended writing courses at Columbia University. She wrote a novel and two plays, which were never published. In 1973, she wrote her autobiography, Dark Lady of the Silents, with Bonnie Herndon. She died in 1976 in Charlottesville, Virginia.

*Miriam Cooper as Margaret Cameron in* The Birth of a Nation. *Courtesy of the Museum of Modern Art, Film Stills Archive.*

*The Friendless one in "The Modern Story" in* Intolerance. *Courtesy of Anthony Slide.*

audiences chose their favorite film productions.

In retrospect, the Edison Company seems to have been the more conservative of the two companies—traditional and bound by commitments, either real or imagined, to high moral principles.[2] The Edison Company's role as plaintiff in the patent suits in which they appear as the aggressor tends to confirm the company's image as a conservative and possessive business conglomerate. The American Mutoscope and Biograph Company, which we will call by its later name, the Biograph Company, has always seemed the more adventuresome and opportunistic of the early companies.[3] It appears to have augmented its output of travel, religion, and classical literature films, the staples of the conservative early filmmakers, with sex, drama, comedy, and sensational productions, thereby laying the groundwork for the imaginative creativity of D. W. Griffith and his followers.

Today's scholars have access to sources which were not available to earlier researchers who stereotyped aspects of this period. The survival of the Biograph Company's handwritten, daily production logbooks, in which filming activity was recorded in roughly chronological order, provides unique information. About 40 percent of these logged films survive, many in the Library's Paper Print Collection, and now scholars can view them.

Volume 1 of the Biograph logbooks begins April 15, 1899, with production number 935. Each production is recorded in sequence by number, date, subject (often the release title), shooting location, the name of the operator (as the cameraman-filmmaker was usually called at the time), the date the negative was developed, and occasionally some production or release information. Later entries include the length of the original, the "corrected" length, the date shot, the date developed, the speed at which the camera was cranked, occasional quality evaluations, and a note recording whether it was produced for Mutoscope (flip-card machine), Biograph (projection), or both.

I have classified filmed dance or vaudeville acts as entertainments. Inevitably, I had to make some arbitrary decisions regarding what should be categorized as entertainment, so my statistics should be regarded as proportional rather than absolute. There were also certain subjects that could not be judged accurately. Some of the early titles are experimental or provide no clues concerning the subject matter. Since there were no surviving copies, these were classified as "uncertain."

In order to get a perspective on production in 1900, it is necessary to consider the situation in 1899. The rooftop in New York City which was the company's shooting stage had some inherent limitations, particularly in the winter. If it was cold, stormy, or even gray and overcast, the rooftop became unusable since controlled, consistent, strong light was vital for production.

The last productions of 1899 were shot in November by operator Francis S. Armitage. The titles include: *The Make-Up Thief, A Warm Baby and a Cold Duck, Fougere,** *The Foster Mother,** and *Pity the Blind.* They were relatively short films, twenty-five to fifty feet in length and scarcely a minute in running time. During November and December of 1899, a number of actuality films were shot outside of New York City—eleven titles in Honolulu and the Philippines by an operator named Raymond Ackerman, and another series along the Union Pacific Railway line.

The roof studio was not used again until January 18, 1900, when Wallace McCutcheon shot *Necessary Qualifications of a Typewriter* and *The Perfect Woman Wanted Her Picture in the Altogether.* On January 23 *I Had to Leave a Happy Home for You** and *Caught* were shot. No more films were made until March, when four titles were shot. In the meantime forty actuality films were received and processed by the company, all shot outdoors in Philadelphia (two), Cincinnati (two), Chicago (three), Canada (thirteen, by Arthur Marvin), and the Philippines (by Raymond Ackerman).

During 1900 the company made 374 films—166 were actuality films, 194 were entertainment, and 14 were of undetermined nature. Five men worked as operators during this time. Ackerman, who was in Hawaii and the Philippines at the beginning of the year, returned to the West Coast in September. Francis S. Armitage, G. W. "Billy" Bitzer, Arthur Marvin, and

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*Film titles followed by an asterisk are in the Library's Paper Print Collection.

Wallace McCutcheon worked out of the New York office.

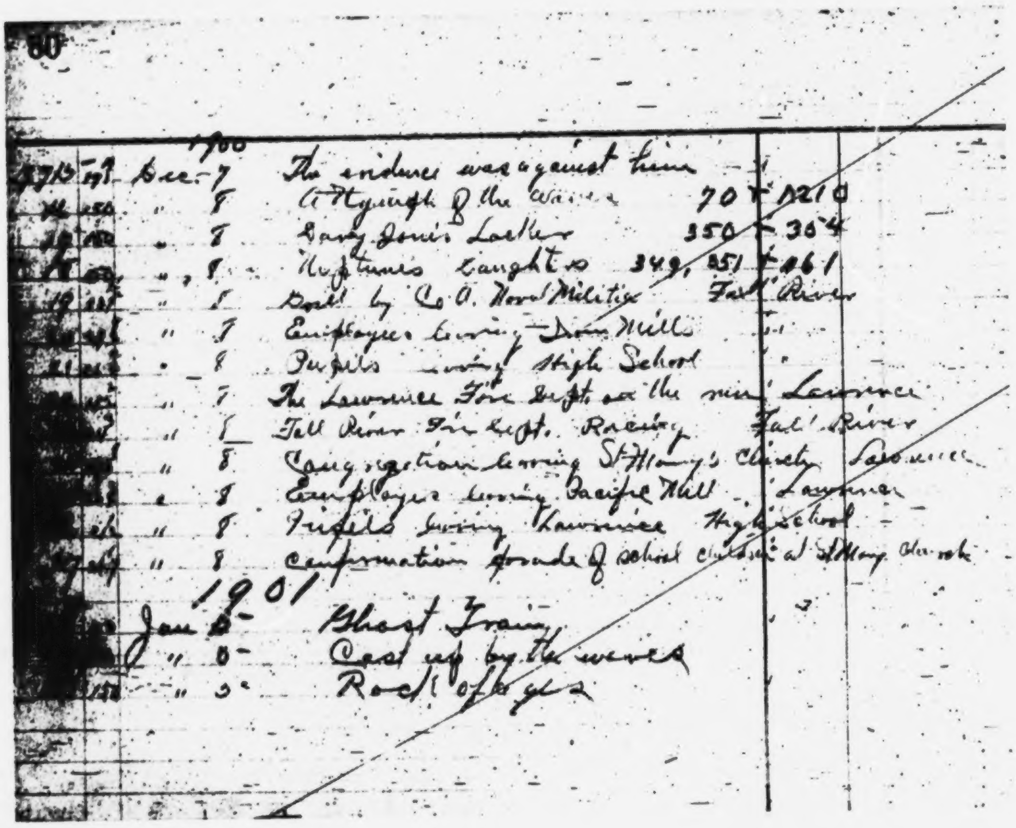
The peak production period for the year was from the beginning of May through October, when 266 titles were produced. Of these, 151 were entertainment, 107 were actuality, and 8 were of undetermined nature.

On May 16, the first five-part film, *The Downward Path,** was shot by Arthur Marvin[4] and the next month the second five-part film, *A Career of Crime,** was also shot by Marvin. Although very short, these films represent a clear effort to start producing more complicated, longer films. They are also significant because of serious topical subject matter—prostitution and economically motivated crime.

Although production at the rooftop studio was fairly steady during the spring, summer, and early fall, the company took a ten-day break from July 6 to July 16. It was a common practice for companies to close for a summer vacation during these years and this probably accounts for Biograph's July break.

Although the majority of the performers in these early films were obscure and anonymous, a few prominent personalities and professional actors and actresses appeared before the cameras during 1900. Homer Davenport, a cartoonist for the *Journal,* was photographed on the roof. Stage performers John Rice and Sally Cohen appeared in scenes from *In Old Kentucky,* and Charles Grapewin appeared in *Chimmie Hicks at the Races.** Since the studio was located near New York's theater district, it is not surprising to find that a few recognized theatre people appeared in early films. Performing in movies was not yet lucrative, and the industry remained primarily a producer of curiosities.

As a postscript to the year's production, there was an interesting experiment with trick printing during December 1900 and January 1901. On December 8, 1900, three films were made by double printing productions which had been made earlier. The resulting releases were *A Nymph of the Waves** (productions 70 and 1,210), *Davey Jones' Locker** (350 and 354), and *Neptune's Daughters** (349, 351, and 1,161). On January 5, 1901, the experiment with double printing was continued with reproduction of *The Ghost Train** (production 81 printed negative, and a shot of the moon), *Cast up by the Waves* (351 and 1,590) and *Rock of Ages** (380 and *Rock of Ages*). It seems



80

1900
Dec 7 The evidence was against him
" 8 A Nymph of the Waves 70 + 1210
" 8 Davy Jones Locker 350 + 354
" 8 Neptunes Daughters 349, 351 + 161
" 8 Drill by Co. O. Naval Militia Fall River
" 7 Employees leaving [illegible] Mills
" 8 Pupils leaving High School
" 7 The Lawrence Fire Dept. on the run Lawrence
" 8 Fall River Fire Dept. Racing Fall River
" 8 Congregation leaving St Mary's Church Lawrence
" 8 Employees leaving Pacific Mill Lawrence
" 8 Pupils leaving Lawrence High School
" 8 Confirmation parade of school children at St Mary Church
1901
Jan 5 Ghost Train
" 5 Cast up by the waves
" 5 Rock of Ages

*The American Mutoscope and Biograph Company production logbook entries for December 7, 1900, to January 5, 1901. On December 8, the following three films were made by double printing earlier productions:* A Nymph of the Waves, Davey Jones' Locker, *and* Neptune's Daughters. *On microfilm in the Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*

warded.

Finally we should perhaps say a word about reliability. As everyone doubtless knows, many music and other recordings made since the introduction of magnetic tape in the late 1940s are not reliable representations of a single performance. They consist of the best parts of many performances spliced together to form a whole. These recordings will be almost useless to future historians simply because they fail to illustrate what a unified performance, a single endeavor, was in the twentieth century. The situation in the early days of recording was quite different. Once a recording was begun there could be no turning back, nor could mistakes be repaired. The only available means of obtaining a better performance was to do the whole thing over again. So reliable are these recordings as illustrations of what a live performance was like that minor errors and blemishes are not uncommonly met with on the published records just as they are in live performances.

### Recording Incunabula

Among the definitions of "incunabulum" Webster cites "a work of art or human industry of an early epoch." In the field of sound recordings the question of what can be considered incunabula is open to debate; however, most archivists agree that any disc or cylinder record issued before 1901 can safely be called an incunabulum. Any of these records should be understood as being of considerable rarity and worthy of careful preservation. They are historic documents in sound which, more than any photograph or paragraph, illustrate nineteenth-century performance styles in music, in vaudeville routines, in dramatic readings. They teach us, more than any book can, just what our ancestors enjoyed in popular music, what appealed to their sense of the ridiculous or their sense of the dramatic. But in one aspect these nineteenth-century recordings fail us. They seldom present to us the more important performers, the finest actors, or the best classical artists. At this stage in the development of the phonograph, many performers considered the instrument a toy of passing fancy. They failed utterly to comprehend what the instrument could do for them in regard to preserving for later generations at least some token aspect of their voices, their renditions, or their personalities. Too often they were repelled by the poor fidelity of the recordings when they heard them over the crude playback machines then in use. They could not know, of course, that many years into the future technology would allow far better reproduction of the recordings than was then possible.

During the years 1889 through 1895, as the recording industry slowly began to develop, most recordings were made by lesser known artists and even by amateur talent. For instance, the Columbia Phonograph Company was at one time promoting recordings by Eddie Giguere "the well known yodeler of the Washington Police Patrol." Fred Gaisberg, one of Emile Berliner's assistants, literally plucked monologist George Graham off a Washington street corner where he was overheard selling some kind of an elixir. Another Columbia attraction was John Y. Atlee, a Treasury Department clerk. The New England Phonograph Company discovered a young member of the Boston Theater Stock Company named Russell Hunting who had a talent for telling funny Irish dialect stories. Often such home-grown talent faded into obscurity in a year or two; however, Graham, Atlee, and Hunting became quite famous through their recordings. One exception to this dependency on lesser known talent was in the field of popular instrumental music, where we meet with a steady flow of excellent performers. Before the turn of the century there were many recordings by the U.S. Marine Band, Patrick Gilmore's Seventh Regiment Band, the Sousa Band, and the Banda Rossa of Italy. These were all considered among the finest of bands in that era of great band music. Also well represented on incunabula recordings are such famous instrumental soloists as Herbert L. Clarke, Jules Levy, W. Paris Chambers, Arthur Pryor, Simone Mantia, and Vess Ossman.

Many of the best nineteenth-century recordings were those issued on disc records by the Berliner Gramophone Company. The disc is, and has been since the turn of the century, the basis of the recording industry. Despite the introduction of the magnetic tape record about thirty years ago, the disc record remains the favorite with the record-buying public. So ubiquitous is the disc, and so ingrained is it into our minds, that many people today are unaware that there was a period when the cylinder record was the preferred format and the disc was a novelty manufactured by only one company. Throughout the 1890s, as the disc grew in popularity, the cylinder interests did their best to denigrate it, saying it produced "blasty whang-doodle noises."[1] Nevertheless, this format became the veritable foundation upon which the great recording industry of the twentieth-century was built. It would not be too much to say that without the development of the disc record we would not possess the great heritage of recordings we now have.

### Berliner's Early Career

The records to which we refer were developed by Emile Berliner, electrician, scientist, composer, author, philosopher, humanitarian, and inventor. Berliner (1851–1929) was born in Hanover, Germany, and emigrated to the United States in 1870. After living a few years in Washington, D.C., where he clerked in a dry goods store, he moved to New York City. There he became interested in the study of the natural sciences, particularly acoustics and electricity. By 1876 he had again settled in Washington. This was just after Alexander Graham Bell's telephone had been introduced. Berliner read accounts of this marvel with great interest, noting particularly the fact that its sound level was reported as extremely low. He felt that this problem could be greatly improved if a better transmitter could be produced, and he began experimenting to create one. "The fact that he had never seen Bell's apparatus and knew little about it, made possible for him a fresh and different approach to the transmitter problem."[2] The result was that by early 1877 Berliner had developed a loose-contact transmitter that soon became the standard telephone transmitter and eventually the first radio microphone. Furthermore, as Roger Burlingame points out, the twenty-five-year-old inventor with no legal training wrote out his patent application himself and it was so clear, concise, and encompassing that no subsequent attempts at overthrowing his claims were successful. Not only did the telephone interests immediately purchase the right to the transmitter patent, they also placed Berliner on their payroll to do further research. In one stroke, Berliner had become an established inventor known in scientific circles and also had obtained enough funds to allow him to set up his own experimental laboratory. The next eight years or so were devoted to electrical research for the telephone company.

During the early 1880s a contest developed between Thomas A. Edison on the one hand and the Volta Laboratory[3] team of Chichester A. Bell and Charles S. Tainter on the other hand. The objective was to transform Edison's 1877 phonograph or talking machine into an instrument capable of taking its place alongside the typewriter as a business correspondence device. Obviously this entailed not only building a better phonograph but, above all, finding a substance to replace the 1877 tinfoil as the recording medium. Foil was far too fragile and ephemeral a substance. During this period the phonograph had almost entirely disappeared from public view. The novelty of the 1877 invention had worn off and most of the early machines had found their way into museums as curiosities. Therefore the news that Edison and the Volta Laboratory team were both trying to revive the instrument caused considerable comment in scientific circles.

By the beginning of 1887 both sides had announced an instrument using a wax cylinder that would be vertically cut or incised instead of the tin foil that was indented as in the 1877 model. Edison retained the name *phonograph* for his new instrument, while the Volta team named theirs the *graphophone*. Edison established a phonograph works in his Orange, New Jersey, plant, while the Volta team sold their patent rights to the new American Graphophone Company of Alexandria, Virginia. Rights to both instruments were obtained by the just established North American Phonograph Company and they were placed on the rental market as dictation recorders. Owing to certain defects in the early graphophone, the phonograph was the instrument most preferred by the companies who rented the instruments through regional retail outlets. The graphophone's deficiencies may have been the chief cause of North American going bankrupt, which in turn cast loose the regional companies to live or die on their own resources. In some desperation, these small phonograph companies turned to an stration, or "public record taking" as it was called, was held in Chickering Hall, New York, on December 17, 1897. One could sit in comfort and watch recordings being made on the newfangled discs by such stars as W. Paris Chambers, Dan Quinn, Russell Hunting, Signor del Campo of the Royal Opera in Lisbon, and others. The engineer in charge was Calvin W. Child, formerly with the New England Phonograph Company and in a few years to become Victor's leading recording expert.

While many or even most pre-1895 recordings were issued with unnamed performers, all the recordings made after those years were very well documented. After a recording was completed the artist was invited to take a stylus and inscribe his name into the label portion of the disc. Also the date and certain engineering details were added. These inscriptions were reproduced on every pressing made from that master zinc. The handwritten names were advertised as evidence that the recording was authentic and actually made by the person named. The dates are, of course, most important, and discographers are greatly indebted to Mr. Berliner for this innovation. The dates must, however, be analyzed cautiously, particularly for recordings made before 1897. Berliner and Suess were the recording technicians for some of the early recordings and, since they were both European-trained, they sometimes lapsed into European customs. The date 4/3/96, for instance, may refer to April 3, 1896, but could just as well indicate 4 March 1896. Without some supporting evidence, there is no way of being sure which date is correct. Later recordings usually have definite dates, with the name of the month usually spelled out in full. During the last stages of the company's career, label information was embossed with movable type, although the artist's signature was still hand-inscribed.

The public was becoming increasingly aware of the advantages of the gramophone over the phonograph. The records were comparatively indestructible and were easily stored in a small space. The playback machines were ruggedly built and easily operated. The center of the disc offered ample room for all pertinent data so that there could be no mistaking one record for another. From the company's point of view, the ease of making a large number of pressings enabled it to not only flood the market with records, but to do it at a relatively low cost. Contrasted with this was the position of the cylinder interests. Their wax records were soft and very easily scratched, broken, or worn out. They were difficult to handle and required an inordinate amount of storage space. There was as yet no method of making more than a handful of copies of any one master recording. The playback phonograph was complicated and required the use of a screw feed for the floating stylus that was frequently out of adjustment. Their manufacturers eyed with increasing concern the encroachments of the disc record upon the retail business.

Although most of the paper files of the Berliner business have disappeared, there is in the Library of Congress a copy of the annual report of the president of the U.S. Gramophone Company for the year ending April 3, 1898. In it Mr. Berliner reports that during the seven-month period from September 1896 through March 1897, royalties from the Berliner Gramophone Company of Philadelphia amounted to $12,240; while from April 1897 through March 1898 they amounted to $47,874. Since the royalty was 10 percent, the Philadelphia revenue for the 1897–1898 business year was $478,740, a very good sum for that time. Mr. Berliner also states that this royalty was earned on the sale of 11,211 gramophones and 408,195 records. Furthermore, he said that the company was then negotiating an order from Great Britain for 10,000 gramophones and a whopping 600,000 records. These are quite impressive figures even now and in 1898 must have seemed positively dazzling. They probably represent a four- or even five-fold increase over the 1894–1895 revenue of the U.S. Gramophone Company.

This great increase in sales and productivity brought about two important events. First of all, in order to keep better control over its recording operations, the company abandoned the cumbrous cataloging system described earlier. In its place an entirely new system was begun, a system in which every catalog or label number was prefixed by "0." Record 01, a recitation by Len Spencer, of the Lord's Prayer and the Twenty-third Psalm, was recorded on April 8, 1899. The block numbering system was totally done away with and from then on numbers were assigned more or less in consecutive order. To replace the block system of classification, a series of letters was stamped on the record which indicated the class into which it fell. For instance, all band records carried the letter *A*, spoken recordings carried the letter *U*, instrumental solos with piano had the letter *G*, instrumental ensembles had *H*, vocal ensembles had *N*, and so on. This system allowed the company to stop assigning catalog numbers on the basis of record content, and now numbers were assigned in the order in which the recordings were made. A slight disarrangement was caused by the practice of assigning a large group of numbers for a particular recording session or sessions. For instance, from June 6 through June 10, 1899, the Sousa Band recorded seventy-three selections which were issued as records 0175 through 0247. During that period other recordings were being made and had to be numbered either just before or just after the Sousa Band series. But on the whole, if one lists these Berliners by their catalog numbers, one will also be listing them chronologically by their recording dates.

The other important event was the dispatching of a Berliner associate named William Barry Owen to England in the summer of 1897 to open negotiations with British financiers for the rights to manufacture and sell gramophone records for the European market. It was perhaps owing to Owen's abilities that the English were prepared to order 600,000 American Berliner records in early 1898. At any rate, Owen was quite successful and in April 1898 Trevor Lloyd Williams and others organized the Berliner Gramophone Company of London. To enable the new company to begin making its own recordings, Berliner sent over Fred Gaisberg and W. Sinkler Darby as the "American recording experts." Almost simultaneously, Joseph Sanders was sent to Hanover to join with Emile's brothers Joseph and Manfred in setting up a pressing plant. Before the end of the year recordings were being made not only in Great Britain but on the continent too, and the discs were being pressed in Hanover. In the following year, Berliner and his sons Herbert and Edgar opened the Berliner Gramophone Company of Montreal. The first recordings were made in Canada in January of 1900.

Meanwhile, in the United States, business continued to boom. Recording sessions were becoming lengthy, and, evidently, when a popular artist became available for work the company attempted to obtain as many recordings as possible. For instance, not only did the Sousa Band make the seventy-three consecutive recordings already mentioned, the trombone virtuoso Arthur Pryor made forty recordings in about two days, the visiting Banda Rossa of Italy made a group of thirty recordings, and the versatile Len Spencer made eighteen discs in possibly only one day. Another notable change from the early days was that the frequent remakes called for earlier were no longer needed. Technology was now allowing a much greater number of pressings to be made from a master. When a remake was called for, the company usually rerecorded the entire selection, either with the same artist or another, and issued the recording under a new catalog number. Only two or three examples of a remake published under the earlier catalog number are known in the "0" series.

The first challenge to the gramophone came in 1898. The Wonder Talking Machine and the Wonder record, both made by the Standard Talking Machine Company, were announced in advertisements in *Phonoscope* and other periodicals. Illustrations of the machine showed one that looked very much like the model Eldridge Johnson was constructing in Camden, except that the Wonder had two horns attached to the one sound box. The records listed for sale, while not illustrated, aroused some suspicion when it was noted that their titles and label numbers were identical to those issued by Berliner except that each catalog number commenced with the number 1. Thus, Wonder 1104 was identical in title and artist to Berliner 104. Since no copy of a Wonder record has been found it is not known if they were actually issued or not. All that is known is that in the 1898 annual report mentioned above, Mr. Berliner notes that steps were being taken to sue the Standard Talking Machine Company for patent infringement. Nothing further was heard of the Wonder after 1898.

In the summer of 1899, *Phonoscope* began running ads for a Vitaphone disc record and machine manufactured by the American Talking Machine Company under patents from the American Graphophone Company (Columbia).

*Rosa Ponselle as Carmen, in an MGM test made during the thirties. Courtesy of AFI stills collection.*

making the popular stage and TV performer into a film star. Paramount encountered similar problems when it featured Met baritone Robert Merrill as the city slicker in the musical *Aaron Slick from Punkin Crick.*

In the sixties Maria Callas would appear as a nonsinging actress in *Medea;* Anna Moffo appeared (in the nude) in a film directed by her husband as well as in a filming of the opera *La Traviata.* But the period of Hollywood musicals with opera singers as principals ended with the great shift in popular music to rock and roll by the mid-fifties.

As early as 1937, composer Maurice Jaubert observed that "in Europe the main preoccupation seemed to be to make . . . shine some great star of song . . . it was quickly perceived that the musical film did not offer a final solution to the problems set by the new art [of the sound film], that it constituted only one of the possible forms of this art, and perhaps the most strictly limited."

Nevertheless, the singer films contain some repertoire that was never otherwise recorded by the artist—such as Elizabeth Schwarzkopf as "Carmen" in an opera house scene in *Drei Unterofficiere* (1939). Rosa Ponselle reportedly once considered her best *recorded* performance of an aria from *Carmen* to be a test by MGM in the late thirties for a film that was never made.

Singer films are not likely to be revived, except perhaps for purchase as videodiscs or videocassettes or on an infrequent television late late show.* But the quarter-century of their prolific production has left us visual and aural documentation of many interpretations by many artists worth preserving, capturing the visual aspects of the individual singer's art, appearance, bearing, use of dramatic mime, and personality.

The singer films surviving in the Library of Congress and other archives are small in number and limited in repertory when compared to the range of music to be found on phonograph recordings, but happily they prove false the old German adage that "posterity pays no tribute to the performer."

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*As this issue of the *Quarterly Journal* went to press, MGM announced that early in 1981 it will start production on *Yes, Giorgio*, a comedy about an Italian singer who falls in love with an American woman. The film will star the famous tenor Luciano Pavarotti.

# Voices from the Silents

## by Jean E. Tucker

The origins of the motion picture as an art form can be traced to the turn of the century. Since the late 1800s, motion pictures have drawn what they have needed from the other arts—music, literature, and the theater—and have attained an artistic maturity of their own in a relatively short period of time. The artistic attainment has been accompanied by a coincidental evolution of motion picture technology.

The development of a historical record of the motion picture has not kept pace with the advancement of the art and technology, however. Indeed, the history of the motion picture, particularly silent film, was neglected until the mid-1960s and the early 1970s. It is fortunate that film scholars are now beginning to pay attention to the historical development of the art and that more and more people who worked in silent pictures are writing memoirs and consenting to taped interviews, thus sharing their experiences and knowledge. As a consequence, the history of the silent movies is being more fully documented in the voices and words of living persons who were directly involved in devising, developing, and perfecting the acting and production techniques that have become the art of the motion picture.

Oral history especially lends itself to the study of silent film. Taped interviews make it possible to record or reconstruct events which occurred during the silent film era of the motion picture. Interviews enable participants to tell their own particular story and include specific facts about the birth of an industry that might otherwise be lost. They can replace or supplement written documents and clarify differing views of the same event, revealing personality in ways which cannot be represented in written form.

The quality of information revealed in interviews depends upon the analysis made of it. After comparing the information to other interviews and written sources, it can be elaborated, explained, and interpreted, so as to supplement and validate known information and create original documents.

D. W. Griffith's *Intolerance,* a silent film produced in 1916 by the Wark Producing Company, has been particularly neglected by film historians and critics since its release. No definitive work on the film has been published. No one directly involved with the production of the film has written more than a chapter or two about it. And, until the time I began a search for persons

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"whatever came next. Whatever was ready next."

> No, there was no straight plan. The only time he was ever ~~stuck with a~~ plan was during the biblical sequences when he had to. He had no choice there. He could put his own interpretation on it, but he had to follow the letter of the Book. That's the one place where he was really tied down.[23]

Lillian Gish believes that even though her role in *Intolerance* took less than an hour to film, she was closer to *Intolerance* than anyone else except Billy Bitzer and Jimmy Smith, the cutter. She feels there was more of her in the picture than any other in which she had ever played. She describes her feelings in her autobiography:

> Perhaps because I wasn't acting a long role, Mr. Griffith took me into his confidence as never before, talking over scenes before he filmed them, having me watch all the rushes, even accepting some of my ideas with the cutting. At night, as I watched the day's rushes, I saw the film take shape and marveled at what Mr. Griffith was creating.[24]

Joseph Henabery describes himself as equally close to Griffith. Besides doing research and assisting in production, he acted in two roles in the film. He says he "very definitely" knew what Griffith had in mind:

> I did ninety-five percent or more of the research work in the picture. I assisted him for over a year. I ran around at his heels or at his side for over a year and I believe I'm safe in saying that nobody is alive today that was as close to him as I was. But there are lots of things that I don't know—that I don't claim to know. I don't know what his business arrangements were or a lot of interesting things. It wasn't part of my job.[25]

Henabery haunted local bookstores and spent hours pouring over materials in researching the film. He particularly liked one bookstore where the owner allowed him to come in on Sunday mornings and "systematically go underneath the counters, pull out . . . and look through everything." He found and purchased many items. For instance, the marriage market scene in *Intolerance* was a replication of a picture he discovered. He found a photograph of a painting which served as a reference source for parts of the Belshazzar episode. He also picked up "bits of fiction about Old Babylon." One he remembered as the *Fall of Ishtar* by a woman author named Porter. Another was called *Semiramas,* he believed. Henabery looked at many Bibles in researching the "Jewish period." He settled on the Tissot Bible as a reference because he believed "Tissot gave the detail of the costumes and the phylactery and all the rituals and all that sort of stuff. Most of the [other] Bibles were illustrated like Doré, which are wonderful drawings, but not authentic.[26]

In his autobiography Brown corroborates Henabery's statement. Henabery, he writes, "became our one-man research department," collecting books, cutting out significant pictures and mounting them in scrapbooks for ready reference. In further support of Henabery, Brown states that Tissot's illustrated Bible was set aside as a standard reference because the illustrations appeared to be more realistic, whereas the Old Masters' paintings presented too many discrepancies to be of much help.[27]

Henabery describes his relationship with Griffith in the day-to-day production of the film:

> I was with him all the time. At the end of the day he would tell me about what he wanted to shoot and I'd get some rough idea of what he wanted. If it was to be a very big day I'd stop my work at noon the preceding day and start in on the logistics. [I would] see that everything that was needed was available. But I had to use my memory more than anything. Nowadays they have production departments where they have it all broken down and everybody takes his whack at it. [The director] knows how many people are needed, what horses are needed, how many chariots are needed, and so on. Well, I didn't, you see.[28]

Lillian Gish, however, presents another story of how research was done for the film in her autobiography, stating that "once again everyone became absorbed in history.... Rabbi Meyers helped with the biblical research. Mr. Griffith knew the Bible well but it was his habit to use people as a sounding board. He talked to all of us, and we often came up with sound ideas." She implies that she too had a part in the research when she continues, "research was no chore for me."[29]

Karl Brown's autobiographical account supports Lillian Gish's statement that Rabbi Meyers participated in the research for the biblical wedding scene. He adds that "the equally highly respected Father Dodd, Episcopalian, stood by to make sure no Christian beliefs would be shaken by this purely Jewish ceremony."[30]

Lillian Gish states in an interview with Anthony Slide that Griffith had all of *Intolerance* in his mind. She says that Griffith wrote every bit of it and designed every set and every costume. He did not go on the set not knowing what to do. He did not improvise.[31]

Nevertheless, in the more than one and one-half years that it took to film *Intolerance,* Joseph Henabery says "miles of film" were shot and many episodes were not used. He describes one of the scenes:

> [Griffith] had one episode that wasn't shown about the courts of Hammurabi—the law courts—and he used to laugh himself to death. He had me playing this part and I'd improvise and build it up, you know. I was telling the story. I was a Babylonian soldier. I was walking along and I heard somebody whistle and there was a gal up there. So I went upstairs and I told this. I'm in a law court. I've been arrested. Just a poor dumb fool. I used to tell this story in pantomime and he'd laugh and laugh and laugh. And, I'd say to myself, "Well, what in the world? Why is he so interested in this bit? There's no room for it in the story." Well, that was true of so many things. I don't think many others realized where we were going because they didn't attend all of the rehearsals.[32]

When asked about her involvement in the editing of Griffith's films, particularly *The Birth of a Nation* and *Intolerance,* Lillian Gish replies:

> Oh, I always sat in on all of the pictures because Griffith would make me. He would say, "You go in there and pick your takes, my eyes get tired. Don't discard what you've taken out, but you pick the best ones." So that if I hadn't he would have run the others. No, I helped. I knew cutting.[33]

At the time of the filming of *Intolerance,* Karl Brown had been promoted to second-unit camera. He shot many of the scenes that did not involve principals. He assisted Billy Bitzer on the major scenes. He contends that the big shots—the crowd and battle scenes—were easy to film compared to the close-ups of the Christ character protrayed by Howard Gaye:

> The hardest thing were the close-ups of the Christ—to make him to look at all Christian, not like Howard Gaye with a lot of whiskers sticking on his face. The rest of it—those big shots—was easy. There's absolutely no question about that. I shot with fifteen hundred, two thousand people in a good crosslight somewhere. You just set up your scenes. That's all there is to it. There are no reflectors to handle. Nothing. You just take a picture of it. It's the only way you can get into a close-up that big and it calls for some skill.[34]

The Babylonian scene was one of the more extravagant in *Intolerance.* Griffith first tried to film it from a balloon suspended over the action, but the basket rocked too badly. Griffith then constructed a huge dolly with an elevator, which Billy Bitzer describes as being fifteen feet high, about six feet square at the top, and sixty feet wide at the bottom. It was mounted on six sets of four-wheel railroad car trucks and had an elevator in the center. Men pushed the dolly backward and forward on tracks while other workers operated the elevator, which had to descend at a regular rhythm as the railroad car moved. The entire scene was filmed in one continuous shot, in focus at every level, with a single hand-cranked Pathe camera. Bitzer did the tilt and pan cranks while focusing. Karl Brown, seated underneath the camera, did the cranking through a flexible shaft.[35]

Anita Loos was an established writer for Griffith by the time *Intolerance* was released. It was logical that he called on her to assist with its titles. She relates that when *Intolerance* was almost complete Griffith sent for her and asked her to stay late to view a rough cut of the film with him alone in the projection room. She thought the film was "terrible" and that Griffith "had gone out of his mind" with all of "these scrambled sequences."

> And, then, he told me what he wanted to do and I realized that the titles he wanted would more or less pull it together and so I went to work and wrote a full set of titles. He told me where they were needed for time lapses and to connect for bridges between episodes. But he said, "If you see any places where you can put in a laugh, don't hold back."

Griffith himself contributed to the writing of titles, also, and the stylized prose of *Intolerance* titles is typical of his films. The caption "A love blossoms from the prince stricken by her beauty as though struck by white lightning" Loos quickly acknowledges as Griffith's. She says, "That is Griffith. That is D. W. himself. He fancied himself as a poet and his poetry was like his stage writing. It's pretty banal." Another specific title, "The loom of fate weaves death for the young boy's father," she also attributes to Griffith, saying,"Oh, those are pure Griffith."[37]

Loos liked to quote from Voltaire and recalls that her paraphrase of Voltaire, "When women cease to attract men, they often turn to reform as a second choice," particularly pleased Griffith. She explains that she did not do research for titles:

> No, I never did any research for anything. I'm deadly against research. I think it bogs you down. I mean if you're a humorist. I don't think you should know the facts too well [because you can't be funny if you do.][38]

Joseph Henabery also contributed to the titles. He relates to Kevin Brownlow that at the preview of *Intolerance* he particularly objected to the titles and told Griffith the next day that the worst feature of the film was that it had so many titles that meant absolutely nothing to the audience. That afternoon Griffith asked Henabery to view the film with him and for about three

# Joseph Henabery

*The movies were in their infancy when Joseph Henabery moved from Omaha, Nebraska, to Hollywood, California, in 1905. He was born in Omaha in 1888 and had traveled over much of the West. His interest in the theater had begun early in life. He and his older brother had seen hundreds of stage shows and plays in Omaha, sitting up in the cheaper top gallery seats, and after moving to Hollywood he ushered in theaters. He started amateur acting, often in leading parts. He also was a supernumerary for the San Carlo Opera Company.*

*He went to work almost immediately in California for the San Pedro, Los Angeles, Salt Lake Railroad (which became part of the Union Pacific Railroad) as a clerk in the freight auditing department. He quickly worked his way up to the freight traffic department, where he developed a loose-leaf tariff which is still in use today and known as "Joe's Tariff" in railroad circles.*

*More and more film studios were moving to Hollywood and the film industry was making a social and economic impact upon the area. Henabery decided to quit his job with the railroad and make a try for the movies. So, at the age of twenty-five years, he began a tour of the film companies. Within weeks he was hired as an extra for Universal Pictures at five dollars a day, and shortly thereafter he was acting in numerous pictures, including all of those directed by Otis Turner.*

*He was well established as an actor for Universal when he saw a movie called* The Avenging Conscience, *directed by D. W. Griffith for the Biograph Company, and decided then and there that he wanted to work for Griffith.*

*About this same time Griffith was preparing to film* The Birth of a Nation *and had most of the Biograph stock players tied up in that picture. This left the other Biograph directors looking for actors to make the one- and two-reelers they were turning out nearly every day. Henabery's first part at Biograph was the lead role in a picture directed by Fred Kelsey. He later worked for such Biograph directors as Eddie Dillon, Christy Cabanne, Frank Powell, Sheriff Maclay, and, of course, D. W. Griffith.*

*Henabery had become acquainted with Frank Woods, who handled Griffith's business and financial affairs, and when he learned Griffith was looking for someone to play Lincoln in* The Birth of a Nation *he asked Woods for the role and got it. After the completion of* The Birth of a Nation, *Henabery was promoted to the Biograph stock company.*

*He was rehearsing with Douglas Fairbanks at Fine Arts when Griffith sent for him and asked if he would do some research for a reception scene to be used as a prologue to* The Mother and the Law, *which later became one of the four parts in* Intolerance. *This assignment led to his doing research for all four parts.*

*In addition to his research responsibilities for the film, Henabery worked as an assistant director, played the roles of Admiral Colgny and the Old Pharisee, acted in bit parts, found several Italian sculptors and a painter to make portions of the Babylonian scene sets, negotiated with the Dominguez Estate landowners and the Pacific Electric Railroad for the shooting of the Euphrates and Tigris rivers scenes, was in charge of the costuming and scheduling of the extras for the mob scenes, and filmed a part of the Belshazzar's Feast scene.*

*After* Intolerance, *Henabery was promoted to a director for the United Artists Corporation. His first picture was* The Man from Painted Post *(Artcraft, 1917), starring Douglas Fairbanks. For the next six years he directed several pictures a year for United Artists, among them* His Majesty the American *(1919), considered the best of Douglas Fairbanks's early pictures.*

*He left Griffith in 1924 to direct Rudolph Valentino in* A Sainted Devil *(Paramount), and the following year he directed* Cobra *(Paramount), also with Valentino. He directed feature films until 1930 for the Associated Exhibitors, Producers Distributing Corporation, Pathe, First National, Gotham, Columbia, and Universal film companies.*

*During the 1930s and early 1940s he directed short subjects on architecture, history, sports, music, and vaudeville for Universal Columbia, and Warner Brothers. In the mid-1940s he began work for the U.S. government directing training films for the army, retiring in 1957 at the age of sixty-nine to live with his wife in Tarzana in the San Fernando Valley until his death in 1976.*

*Photograph of Joseph Henabery as Abraham Lincoln in* The Birth of a Nation. *Courtesy of Anthony Slide.*

probable that the midwinter production lull, accounts for this interlude of creative experimentation in technical achievements.

These three were the only entertainment productions made by the company until April 15, 1901; only two were done during April and seven during May. It was a very slow year for new entertainment productions at the Biograph Company. Only forty-nine entertainment productions were made all year (in contrast to 185 the year before) and twenty-nine of them were made during June, including a five-part *Ten Nights in a Bar-Room.** Eight were made during July, and then New York production was shut down until May 1902.

During 1901 Biograph continued to employ Armitage, Bitzer, Marvin, and McCutcheon as camera operators. Cameramen Robert K. Bonine and James Congdon were added to the staff. Bonine made a trip to Hawaii, Japan, and China. The year's production of new films focused on actuality production, 286 titles. There were seventeen films of uncertain type. Major attention was given to the Pan American Exposition in Buffalo and the assassination and funeral of President McKinley.

During 1902 the staff of operators was reduced to Bitzer, Bonine, Congdon, and Marvin. Production for the year dropped from 352 to 187 titles. Production of entertainment films continued at about the same level, 52 (49 in 1901). Once again, production of entertainment films was restricted to the warm months of May through August. The drop in production coincides with the period when the Biograph Company began to make massive copyright registrations for previously produced subjects. This burst of copyrighting was probably the result of a favorable court decision in the long continuing suit with the Edison Company. For the first time the company could distribute films for projection, augmenting its Mutoscope distribution.

The production patterns for the year reflect a rather conservative, unadventurous approach to production. The major documentary event of the year was Prince Henry of Prussia's visit to the United States. There were so few new ventures on the dramatic side that a series of seven films featuring the newly popular comic strip characters "Foxy Grandpa and the Boys," with stage actor Joseph Hart playing the lead, stands out as a creative achievement. The Library has copies of many of these films.

During this period productions continued to be short, twenty-five to fifty feet of 35mm film, less than a minute of running time. By now the majority of the entertainment films were broad comedies patterned after burlesque routines. They were repetitive and predictable. The number of comedies produced outnumbered the melodramas.

In 1903 Bitzer and Bonine continued as operators. Armitage and McCutcheon returned to work and were joined by A. E. Weed and a San Francisco photographer, Herbert J. Miles.

During the year production jumped from 187 to 496 titles, and the company moved from the rooftop studio on Broadway to a converted brownstone at 11 East Fourteenth Street (about a block away). This building was made famous by D. W. Griffith, Lillian Gish, Blanche Sweet, Mack Sennett, and other members of the Biograph Stock Company. Films produced on March 26 and 27 and April 1 are marked in the log as made in the studio, the first such indications. The first title so listed is *For the Upper Crust.* April was, however, a period of light production, with only seven films made during the month, so the beginning of new studio production was rather hesitant.

The earlier part of the year had seen a burst of documentary production. In February Bonine shot thirty short films at the National Cash Register Company in Dayton, Ohio, apparently on a commission from the company. Certainly one of the earliest "sponsored" films, it recorded factory production, employees' activities, and the management of the company. Unfortunately, the film has not survived.

In March forty documentary films were recorded, more than twenty-five of them shot in the Yukon (probably photographed earlier, but recorded in New York in March).

In June entertainment film production began in earnest when twenty-nine titles were made (as opposed to ten the previous month). In July thirty-two were made, twenty-one in August, thirty-eight in September, and forty-four in October. While production dropped to eleven in November, thirty-seven titles were made in December. The indoor facilities in the new studio clearly put at least a partial end to the seasonal

A Search for Evidence *(American Mutoscope and Biograph Company). This film was shot at the studio on July 20, 1903, by G. W. "Billy" Bitzer. It is one of the earliest films shot through a keyhole mask placed over the camera, thereby creating the impression that the audience and the characters were peeking through the keyhole at the same time. The illusion that the detective and his client are looking into different rooms was created by changing the numbers on the two doors and the furniture for the sets. The film is described as follows in a September 21, 1903, company bulletin:*

> 2433. A SEARCH FOR EVIDENCE. 217 feet.
>
> This is a novel and very effective arrangement of seven scenes to give the effect of the search of a detective and a discarded wife for the evidence necessary to secure a divorce. The two walk down the hall and look through the keyhole of the various doors. As the woman looks through the keyhole, the picture shows what she sees. A. A young husband walking the floor with a baby. B. A farmer trying to light the electric light with a match. C. An old maid preparing to retire. D. A doctor and nurse attending a patient. E. A poker game in full blast and finally the guilty pair, the husband and his sweetheart. The picture shows the detective breaking in the door, and then the interior of the room with the detective and the wife breaking in and an exciting denouement when the wife confronts the woman. All exceedingly well acted.,

*The American Mutoscope and Biograph Company's 1903 productions include a surprising number of films about infidelity and divorce. On July 2, Bitzer shot a three-part film called* The Divorce *and on July 17 he shot another three-part film,* The Unfaithful Wife. *From the Kemp R. Niver and J. P. Niver Collection of frame reproductions from the Paper Print Collection, Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*

nature of the company's output.

At the same time, documentary production was also flourishing, spurred on by the production of films in groups or series. In August twenty-four films on the U.S. Postal service were shot in Washington, D.C., and its environs (including Westminster, Maryland) by operator A. E. Weed. Also in August, Bitzer shot twelve films on the *U. S. S. Kearsarge*, which was on Oyster Bay, New York, near Theodore Roosevelt's home. In August and September Francis S. Armitage shot forty-one films in the West and Southwest for the U.S. Department of the Interior. While these films could be viewed individually, they also had a continuity of subject and, perhaps, some sequential order. Since some of these "series" were up to an hour long, this clearly indicates a significant change in production patterns.

October of 1903 brought the first long entertainment releases—*The American Soldier in Love and War** in three short parts, *Kit Carson** in thirteen parts, and *The Pioneers* in six parts. The latter two were made in the Adirondacks in September by Wallace McCutcheon. At this time, Biograph was following the lead of the rival Edison Company, which had released several successful longer films (about one reel each), including *Jack and the Beanstalk** (June 1902), *Life of an American Fireman** (January 1903), and *Uncle Tom's Cabin** (July 1903), soon to be followed by *A Railroad Romance (Route of the Phoebe Snow)** (October 1903) and *The Great Train Robbery** (December 1903).

aspect of the talking machine few had taken seriously up until that time—entertainment. From about 1889 on, a number of coin-in-the-slot instruments had been set up in such places as saloons and hotel lobbies, where one could hear through earphones, really tubes, prerecorded cylinders made in the Edison plant and distributed by the North American Phonograph Company. Astonished by the income obtained through these instruments, the individual companies began to suspect that it was in this direction, rather than toward business correspondence, that their futures lay. Instead of renting their machines, they now offered them for outright sale to everyone, and various companies began making their own amusement recordings, which were also for sale. Thus the recording industry began taking its first small steps.

This was the series of events that took place between about 1882 and 1892 and which drew the attention of the entire scientific world. Emile Berliner, along with many others, could hardly avoid having his thoughts turned toward the science of recording and reproducing sound, or toward a consideration of the future of sound recording. He began examining in detail both the phonograph and the graphophone in order to learn the advantages and disadvantages of each. We can assume that he soon formed the following conclusions: the wax cylinder, while a great improvement over the old tinfoil, was too soft and fragile for making a permanent recording, so a more substantial material was required; the use of vertically cut grooves did not allow the development of sufficient volume, so a deeper cut of some kind was required; the wax cylinder could not be mass-produced, so if recordings were ever to be widely disseminated, some method of making a large number of exact facsimiles was required. These problems were, of course, recognized by Edison as well as by Tainter, who was largely responsible for the graphophone, and by many others, but they were unable to cope with them for some years. By the time the cylinder companies had overcome these defects, the cylinder was already doomed to extinction by Berliner's disc.

The trials and errors of Emile Berliner are a story in themselves. Many of them were described by the inventor in a lecture-demonstration he gave at the Franklin Institute in Philadelphia on May 16, 1888, and which was printed in the institute's *Journal* (vol. 125, no. 6). Very early in his work, Berliner decided upon the disc format (a format already discussed by both Edison and Tainter) coupled with the lateral vibrations used by Scott in his phonautograph. Scott's device, which dated back to the 1850s, was an instrument used for tracing delicate sound vibrations on a lampblacked paper cylinder. There was apparently no thought by Scott to attempt to reproduce the sound vibrations, and there is no indication that he considered it theoretically possible to do so. One of Berliner's earliest experiments was to try to turn such delicate tracings into a hard substance through a photoengraving process. Entirely unknown to him at the time, this was the process advocated by Charles Cros in a remarkable paper written on April 16, 1877. In this paper, Cros stated for the very first time the theory of reproducing sound by photoengraving the phonautograph's lateral vibrations made on a lampblacked paper disc. Unfortunately, Cros never passed beyond the theoretical stage. If he had, he and not Edison might have been the first to record and reproduce the human voice. Be that as it may, Berliner found that the photoengraving process was fraught with great difficulties. He then turned to an etching process.

By 1887 Berliner had reached the stage where he could apply for a patent on a method of tracing lateral sound vibrations on a zinc disc and then etching these vibrations down into the zinc by means of an acid bath. By this method the vibrations would become "fixed" into a relatively permanent substance that could be used a great many times for playing back the sounds. The blank disc, or plate as it was then called, would be coated with a soft fatty film and then placed on the recording machine. The laterally vibrating stylus would trace a spiral groove, removing the film and exposing the bare metal. After covering the back of the disc with a protective coating of varnish, the entire disc would be immersed in an acid bath for a specified length of time. The acid would etch the bare spiral grooves, but not harm the rest of the disc. After removal, the disc was cleaned and dried. It was then ready to be placed on a turntable and have the sounds reproduced by a playback stylus attached to a slightly more flexible diaphragm than that of a cutting stylus. The laterally cut grooves could be relatively deep, with smooth bottoms and undulating walls. On the other hand, the vertically cut grooves used on cylinders had alternately deep and shallow bottoms and smooth walls. The deep grooves of Berliner's plate allowed the reproducing stylus to be held down firmly into them, with a resulting increase in sound volume, considerably more than could be obtained from the floating stylus required on a cylinder machine.

The hard, acid-etched zinc record gave forth a sound that was somewhat raucous and harsh when compared with the sounds from a soft wax cylinder. This was caused by the difficulty of controlling the etching process to the degree necessary for absolute smoothness. Only by viewing the etched record under a microscope could one see that the grooves were a little ragged. Repeated playings with the heavy reproducer resulted in smoothing away some of the roughness, but this was no solution to the problem. Eventually Berliner was able to improve the sound by using different acid solutions, but he was not able to completely overcome the problem. Not until 1900 when his successor, Eldridge R. Johnson, began making his master recordings on a heated wax disc, totally abandoning the use of zinc masters, did the sound quality of the disc record achieve parity with that of the cylinder record. However, the disc had many advantages over the cylinder and these were to prove overwhelming.

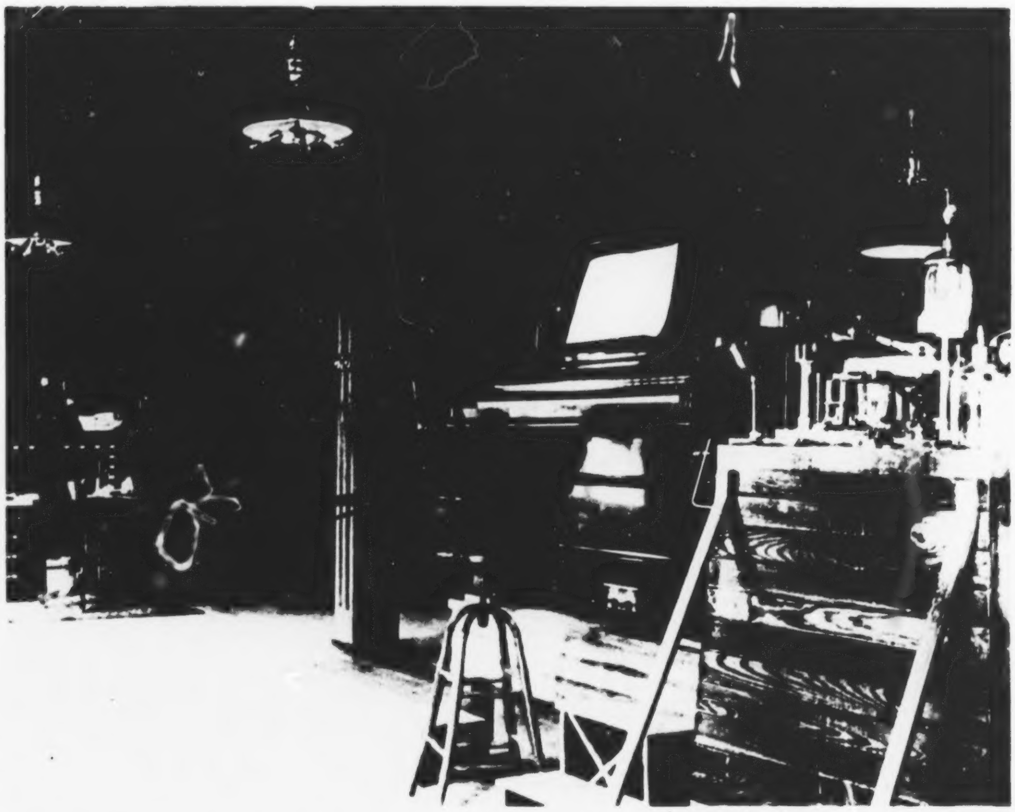
Berliner could now make permanent zinc disc records. However, he could only make them one at a time. The next step was the making of large numbers of exact facsimilies. This proved to be a difficult project. The zinc was easily electroplated, resulting in a copper reverse, or matrix from which it would be possible to stamp or press out positive copies in any substance able to take the impression and retain it. It was this last requirement that presented such a knotty problem.

Many different materials were tested in the search for a suitable copy substance. Two which one finds a little startling today were sealing wax and glass. At his Franklin Institute lecture, Berliner showed his audience a copy pressed into glass, a process he likened to the pressing of decorator designs into hot and soft glass. However, glass was found to be too fragile and sealing wax, too soft. Finally the inventor turned to celluloid. He discovered that, when heated, celluloid became soft enough to receive the delicate grooves from the reverse metal master and that as it cooled and hardened it retained its shape almost perfectly, so that the grooves were not warped, twisted, stretched, or otherwise ruined. The inventor was now about ready to place his invention on the market and challenge the cylinder companies. However, before proceeding with this part of the tale, we should perhaps finish the story of the search for better substances for making the pressings. Just as he was beginning to manufacture records for the retail market, Berliner found his celluloid disc was not standing up too well under the heavy weight of the playback stylus, which also included the weight of the entire horn apparatus. He then turned to a hard rubber disc and, with the aid of a rubber company, began issuing large numbers of quite accurate copies in that material. But once again unlooked-for trouble turned up. Complaints began to be received that some of the rubber records had flat spots across which the stylus would suddenly skid. By that time Berliner's business was at a crucial point, and faulty discs were making matters much worse. Orders were piling up and serious trouble seemed inevitable. Berliner later wrote:

> In this emergency I remembered an attempt made by the Bell Telephone Company in 1879, while I had charge of their laboratory, to substitute a shellac composition for the hard rubber of which their hand telephones were made and I got in touch with a factory that made electrical fixtures of such composition. I gave them a nickel-plated copper matrix of a record and the first copies they pressed from this matrix in shellac composition showed remarkable uniformity, and, moreover, because the material was harder than hard rubber, the reproduced sound was louder and more crisp.[4]

The company that made these records was the Durinoid Company of Newark, New Jersey, and it pressed all domestic Berliners from then on. In fact, until the advent of World War II and the ensuing severe shellac shortage, probably 90 percent of all disc records were made of a similar shellac composition.

In his first patent application, Berliner referred to his entire process of recording and reproducing sound on lateral cut discs by the name *gramophone*. Although used for many years, this term was eventually replaced in this country by the generic term *phonograph*. In many other countries, on the other hand, the phonograph and the gramophone are con-



*Interior of a gramophone recording studio. As was usual in early recording studios, the piano is raised so that the sound board is close to the recording horn. Either Washington, D.C., or Philadelphia, ca. 1898. Robert Sanders Collection, Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*

The gramophone lawyers pointed out that the graphophone patents covered vertical cut while the lateral cut used on the Vitaphone discs were infringements of Berliner's patents. A number of ruby red, lateral cut, seven-inch Vitaphone records were sold and a few machines were constructed, but by the end of 1899 Vitaphone was no more.

In the November 1899 issue, *Phonoscope* ran the first advertisement for still another competitor. This was the Zonophone disc and machine manufactured by a new Universal Talking Machine Company. That same issue of *Phonoscope* also carried the following paragraph:

> The National Gramophone Corporation (distributor of the Berliner Gramophone) are issuing circular letters to their friends, calling attention to the Vitaphone . . . , but they do not call attention to the Zonophone made by the Universal Talking Machine Company, of which O.D. LaDow is President and financial backer. He is also secretary and general manager of the National Gramophone Corporation. Probably Mr. LaDow does not wish the stockholders in the National Gramophone Corporation, who employ him at a good salary to work for them and watch their interests, to get on to the fact that he is the prime mover in a Company manufacturing goods the exact counterpart in every way to the Gramophone.

To this we can add that Frank Seaman, president of the National Gramophone Corporation, was also apparently a power in the new Zonophone organization. Here then was a case of the officials of one organization establishing a competing organization.

The sequence of events following the disclosure in *Phonoscope* is unclear. However, we can follow it roughly through available court records. Berliner and his associates charged that Seaman and LaDow had "violated the covenants [of the 1896 contract] . . . and had betrayed and [were] assiduous in betraying, the interests of the Berliner Gramophone Company to competing and infringing corporations."[8] Indignantly the Berliner company refused to ship any more records and machines to the National Gramophone Corporation. Unfortunately, however, the contract of October 10, 1896, between Seaman and the Berliner Gramophone Company granted to the former "the exclusive license to buy, sell, and deal in, throughout the

United States, except the District of Columbia [which was reserved for the U.S. Gramophone Company], gramophones and gramophone goods . . . for a period of 15 years from the said date of the agreement. . . ."[9] The fact that Seaman and LaDow were now connected with a competitor, and possibly an infringer, did not negate the agreement. The Berliner company refused to be a partner to the operations of Seaman and LaDow and suspended the shipment of materials.

Seeing that he could not use persuasion to force compliance by the gramophone company, Seaman brought suit against both the Berliner Gramophone Company and the U.S. Gramophone Company and was ultimately granted an injunction on June 22, 1900, "restraining the gramophone company from selling, delivering, or otherwise disposing of, and likewise from permitting or allowing any selling, delivery, or disposing of, within the United States of America, any of the gramophones, records, matrices, or goods referred to in the contract of November [sic] 10, 1896."[10] In effect, the Berliner Gramophone Company was closed down as far as the United States was concerned. Despite repeated appeals, the injunction remained in force.

The Berliner Gramophone Company of Philadelphia discontinued production in 1900. The last record known to have been issued was number 01304, "Doan You Cry My Honey," sung by a famous early vocal group, the Haydn Quartet. With this record the story of the Berliner record in the United States comes to an end. The Montreal office remained active for a great many years. The London office soon dropped Berliner's name from the corporate title and from the discs themselves. They added a typewriter line and became the Gramophone and Typewriter Company Ltd. A few years later the typewriter was abandoned and the company became simply the Gramophone Company, and so it remains today. In a sense, however, the Berliner record did not die out even in this country. Within months after the injunction, Mr. Berliner and the U.S. Gramophone Company assigned the patents to Eldridge R. Johnson, the Camden machinist. Mr. Johnson set up the Consolidated Talking Machine Company at the same Philadelphia address as the Berliner Gramophone Company. In the following year he reorganized as the Victor Talking Machine Company and built a huge plant across the river in Camden. This firm went on to become one of the largest and most influential record companies in the world.[11] In 1904 Mr. Johnson had the pleasure of purchasing the entire assets of the Universal Talking Machine Company. We like to believe that one of his first actions after that was to discharge Frank Seaman and O. D. LaDow.

One of the assets Berliner assigned to Johnson was acquired in the following manner. In 1899, while on a visit to England, Berliner saw in the Gramophone Company office a painting of a small dog listening to "His Master's Voice" issuing from an Eldridge Johnson model machine. It had been painted a year earlier by a British artist named Francis Barraud, and the dog was the artist's own pet named Nipper. The gramophone officials had purchased the painting just as an attractive decoration for the office. Mr. Berliner saw it in an entirely different light.

A copy of the painting was made and sent to the United States, and Mr. Berliner applied for a trademark. The painting was also reproduced and photoengraved onto some of the late Berliner records. American trademark no. 34890 for "His Master's Voice" was granted to Mr. Berliner on July 10, 1900. It too was passed on to Eldridge R. Johnson with the Berliner patents. So it became the trademark of the Victor Talking Machine Company and later of the Gramophone Company of London and its affiliates around the world. By 1915 it was the most famous and recognizable trademark in the recording industry, and so it remains.

The close of the Berliner Gramophone Company and the end of Berliner records in 1900 did not mark the absolute close of Mr. Berliner's interest in and involvement with sound recordings. He had a financial and a professional interest in the Victor Talking Machine Company and in the Berliner Gramophone Company of Montreal. For both these companies he acted in the capacity of a consultant. Frequently he was sent specimens of new or experimental recordings for his study and his comments. Several such records are in the Robert Sanders Collection in the Library's Motion Picture, Broadcasting, and Recorded Sound Division.

AND THE

associated with the film, no one had recorded a collection of taped conversations with individuals who took part in its production.

The inspiration for this search came from Lillian Gish. I first met and talked briefly with her at the Library of Congress in 1969 at a presentation of her film-lecture *Lillian Gish and the Movies; the Art of Film, 1900–1928.* She made a lasting impression. She seemed so interested and enthusiastic about everyone and everything around her. Her devotion to silent film and D. W. Griffith and her desire to tell his story were clearly genuine.

After a second meeting nearly a year later, I wanted to learn more about the woman who seemed to epitomize the silent screen. I quickly discovered she had been sorely neglected by biographers and other writers. I read all I could find, looked at existing films in the collections of the Library of Congress and the Museum of Modern Art, and eventually interviewed her.

The Recorded Sound Section of the Library of Congress (now part of the Motion Picture, Broadcasting, and Recorded Sound Division) accepted for its collections a copy of the tape of my conversation with her and expressed an interest in the tapes of interviews that I might record with other film personalities.

I discovered there were at least four living persons in addition to Lillian Gish who had been involved directly in the production of D. W. Griffith's film *Intolerance* and that they would be willing to talk with me—not only about the film but about the development of the motion picture, acting and directing techniques, their early careers in silent film, and their relationship with D. W. Griffith. They were Karl Brown, cameraman; Miriam Cooper, actress; Joseph Henabery, actor, researcher, and director; and Anita Loos, who had written titles for the film.[1]

Their stories were told within the framework of their own particular skills, experiences, and contributions. Some bias and differences of opinion were inevitable. The value of the oral history approach was to bring the differing views out in the open where they could be compared. Taken together, the accounts of the experiences of the interviewees present a clearer understanding of why and how the film *Intolerance* was made and assist in interpreting the silent film period.

None of the interviewees knew the full story of the production of *Intolerance* as they evaluated the film from different production aspects and degress of intimacy with Griffith. If the success or failure of the film is judged on its technical and artistic merits, the interviewees agree it was a success. They also agree that the film would never have popular general audience appeal because it is tediously long. Film historians concur. Only film students flock to see it.

The interviewees express a great depth of feeling toward D. W. Griffith. Their enthusiasm is open and genuine. They share a great sense of pride in their association with him and are all devoted and loyal. They feel close to Griffith even though none of their relationships—with the possible exception of Lillian Gish—were ever on a personal level.

They had courted his pleasure and were deeply appreciative of the smallest of compliments from Griffith. They bore no resentment that he did not credit their work in his films. Griffith treated the women with dignity and courtesy and expected them to be ladies. He encouraged their creativity. In turn, they gave him their undivided loyalty and devotion and worked hard to please him. The men were equally as loyal although somewhat more willing to admit flaws in Griffith.

The intense effect Griffith had on the interviewees is as complex and difficult to explain as the man himself. It can be attributed primarily to the combination of his maturity, father image, personal magnetism, and leadership qualities and his ability to inspire creativity and to generate excitement in the work and the films they produced together.

During the silent film era, the interviewees did not recognize the significant contributions they were making to their craft and the industry. With the passage of time, however, they realized the magnitude of the art they helped create. They were proud of their role and wanted to talk about it. Theirs was a time of

*David Wark Griffith on the* Intolerance *set in the basket of a balloon, from which he had hoped to direct the film. The idea proved impractical, however, and was abandoned. The banner in the background reads "The Mother and the Law," the original title of the part of the motion picture set in the modern period. Courtesy of Anthony Slide.*

hours they discussed the titles and reworked a number of them:

> I sat in there for about three hours. I hit the titles I particularly objected to. I made suggestions and they worked my ideas over and revamped the titles. In a way, this was very flattering to me. I'm human and I'm susceptible to flattery.[39]

**Success or Failure?**

At the grand openings *Intolerance* was acclaimed by the critics as wonderful, gigantic in spectacle, and novel in presentation. Audiences applauded the brilliant images but found the four concurrent stories confusing and difficult to follow. Theaters were filled for about five months and then attendance fell off to nothing. The film was withdrawn. *Intolerance* was one of the few pictures never to have a second run in neighborhood theaters.

The timing of the film's release was poor. In 1916 the American public was emotionally stirred up for war, but the film was a sermon on peace. As the country became more war conscious the film was censored and barred in many cities. It therefore had little chance for sustained success.

The film had a similar reception in Great Britain. It was enthusiastically received in London by the critics and the public but ran only eight weeks before closing.[40]

During the filming of *Intolerance,* none of the interviewees fully comprehended the total scope of the picture or the full significance of the techniques Griffith employed in the production. All were incredulous at their first viewing, but in later years they realized the magnitude of what they had helped create. They attribute part of the ultimate box office failure to the unfortunate timing of the release of the film when the country was preparing to go to war. They all feel the film was too advanced technically for the average moviegoer to appreciate.

Griffith typically previewed his films at towns in the Los Angeles area. Henabery went with Griffith and several others to the preview of *Intolerance* at Pomona. Henabery was "terribly disappointed—more so than I thought I would be." He thought the picture was "Griffith's biggest flop" and "failed in so many respects." He criticized the film as "too confused for an ordinary audience."

> They didn't know what it was about. They were stunned. They didn't know what to make of these flashes that were that long [indicating a short distance]. They'd just about get their eyes open and [it was] gone.[41]

Henabery also criticizes the idea that the stories in the film run parallel:

> A parallel means that a similar thing happened at these different times. They were not similar things. They were usually quite different things. They talk about the wonderful parallel in the action at the end, but the train ride, the automobile race with the train, and the chariot race in Babylon, and all this. What similarity is there between a run to the rescue and a traitorous opening of the gates to let the invaders in? [And the Crucifixion]. Where is the parallelism? None. To begin with the whole Crucifixion period lacked movement. To me, it was, as I said, his biggest flop.[42]

Brown did not share Henabery's deep disappointment. He describes the reception of the Los Angeles opening as "tremendous because they were looking for something big and they got it."[43] He saw the "picture more than once, mostly to try to find out what all these various critics were talking about."[44] During the shooting of the film he had not been able to make out the stories, "but once assembled and once its theme had been clearly stated in tones of brass from Breil's great orchestra, everything fit together. Griffith had succeeded brilliantly."[45] He disagrees with Henabery's statement that the film does not use parallelism:

> Because [Griffith] had been doing it so long. He had been doing it over and over and over again. In his earlier pictures he'd have three or four stories running parallel or closely related, so finally when he came to this one he decided he'd go all the way—the same story in four different parallels—in four different settings.[46]

Brown believes that *Intolerance* was a big picture in every possible respect. It was designed to be shown as a great theatrical spectacle in full-sized theaters at advanced prices. It required a full orchestra of symphonic proportions and a backstage crew of sound effects men to build up the hullabaloo and clamor of battle. But it did not attract the crowds necessary to pay the cost of its screening. Brown admits that the film was a failure at the box office. "It was," he said, "in short, a flop."[47] Griffith had succeeded "with the wrong thing at the wrong time for the world had changed."[48] Griffith could not foresee the war. "I think it was badly timed."[49]

Brown states that a little understood fact about *Intolerance* is that compared to *The Birth of a Nation, Intolerance* made more money during the first several months after being released.

"More people paid more money to go see it." The difference in profit was a direct result of the difference in production cost—seventy-five thousand dollars compared to a million and a half dollars.[50]

Anita Loos rates the success of the film somewhere between Henabery's and Brown's evaluations. She says she had some idea of what the film was about after working on the titles but "was as confused as the audiences were." She believes the film "was a really colossal failure," but that it "was terribly in advance of its time."

> Audiences said what is this thing? You're in a modern courtroom and then you're back in history. It just didn't make any sense. It was long. Up to that time, of course, every story was filmed with a beginning, a middle, and an end. To cut back and forth in time was really so far in advance of anybody.[51]

Loos describes Griffith's theme of intolerance as ordinary, finding nothing new in the idea that "it's intolerance that causes everybody's trouble." She says that while *Intolerance* was being filmed "we all thought it was a big folly and a mistake. We were more than ever convinced after it failed in the theater. But those were pretty gay times when nobody had any cares in the world. So [Griffith] was preaching to a lot of people who weren't listening."[52]

Unlike Henabery, Loos feels that "in later years people have been able to appreciate [*Intolerance*] for what it was."[53]

Miriam Cooper and Lillian Gish strongly support the film and Griffith. Miriam Cooper writes that whatever the film's weaknesses may have been, it still stands as a monument to D. W. Griffith. She attributes the negative reaction to the film to its length, ponderousness, and the timing of its release. It is her feeling that then as today it is difficult for audiences to watch the film because "it was hard to follow four stories at the same time. The extensive cutting jerked the viewer back and forth." She believes there was no response to the film's "strong message against war and for peace," because the national mood of the country supported the war.[54]

Lillian Gish believes that in *Intolerance* Griffith's "genius reached its full expression."[55] Never had his techniques been so fresh and resourceful nor have the dimensions of the film ever been equaled. She told Anthony Slide that she thought it was the greatest film ever made.[56] It is Griffith's monument and the measure of the man himself.[57]

Lillian Gish contends that the film would have been successful had it been shown as Griffith intended. Griffith had planned for the film to be shown in two four-hour screenings, but when exhibitors heard about the film's length, they refused to show it. Griffith therefore cut and edited the film down to two and a half hours. But he should have followed his instincts to defy the exhibitors and presented the film in its entirety, Gish explains. The shortened version was difficult to follow and the climax was particularly bewildering to audiences with the images falling "on them like spent buckshot, without force or direction."[58]

Gish feels there were other reasons for the film's failure too. The long months of production and the great financial outlay could have been lessened if Griffith had been willing to turn over more of the planning and directing of other productions to his assistants. The stars should have been given screen credits and the "kind of publicity and exploitation that was by then starting in the industry."[59] Their pulling power might have offset the financial deficit of the film.

How Griffith himself may have felt about the picture while it was under production was revealed in an incident described by Joseph Henabery:

> I used to wait for him at night to come out of the projection room. I was never allowed in there. Nobody was except the editors. One night, probably about 6:30, he came out and he had his big hat pulled down over his face. I knew he felt low. He had to cross a sort of a roadway to come over to where I was up on the stage. I was waiting for orders. He told me, "I wish I had made a Babylonian picture." I didn't know what to say. But, I'm glad he didn't because I never saw a story that was big enough for it. But the next day he'd forgotten all about it. I couldn't understand him in that respect.[60]

In Griffith's conversation and correspondence with Lillian Gish after the box office decline, he referred to *Intolerance* as his "great failure." He confided in her that he may have dreamed too big a dream and stretched his talents too far when he made *Intolerance*. He had tried to influence the entire world with a message of compassion. He thought he should have confined himself to America.[61]

*Intolerance* was a financial failure but time has vindicated its artistic and technical merit. It has become a film classic. It is shown in classrooms around the world, and filmmakers the world

*(Continued on p. 410)*

# Karl Brown

*Karl Brown, cameraman and director, was only sixteen years old when he became an assistant to D. W. Griffith's famous cameraman Billy Bitzer. But neither the movies nor photography were strangers to him. He was already an experienced photographer and an avid movie fan.*

*He was born in Versailles, Pennsylvania, on December 26, 1896. His parents were actors and frequently on the road. In 1912, jobs with Kinemacolor took the Browns to Hollywood, where they remained after Kinemacolor folded in 1913.*

*Karl Brown faithfully attended the Kinemacolor pictures at the California Theater at Ninth and Main, where the bill often included the popular melodramas of Biograph, Kalem, and others. He started using a Brownie camera at age seven or eight, and then advanced to optical experiments making lenses from drops of melted glass. His first job was mopping floors at Kinemacolor. From there he went on to learn to develop and handle film, sitting at the feet of some of the best cameramen of the time—men like Gerald MacKenzie, from Inverness, Alfred G. Gosden, from London, Marcel Le Picard, from Paris, and the two Scheurich brothers, August and Victor, from Germany.*

*When Kinemacolor failed, he bought a battered old view camera, tripod, and accessories in a pawn shop and set about becoming a professional photographer. He shot pictures of everything and developed and printed them himself in a makeshift darkroom in a clothes closet. A short time later, the elder Browns took jobs as actors in a Selig film,* The Spoilers, *and he was hired as a still photographer.*

*It was in 1914 after* The Spoilers *was completed and the family was once again looking for employment that they heard that D. W. Griffith had rented the Kinemacolor lot next door to the Brown home and that he was moving his entire company to Hollywood. The Browns decided they wanted to sign on with Griffith and arranged to be at the entrance to the Kinemacolor lot when Griffith and his entourage arrived. At his mother's urging, Karl introduced himself to Billy Bitzer and asked for a job.*

*He relates that Billy Bitzer said all that was required for his assistant was a strong back and a weak mind and at first he served as a general factotum and everybody's errand boy. One of his early and continuing duties for Bitzer was to keep a record for films of all action and scene numbers in notebooks.*

*He learned by doing. When Bitzer said, "There'll be clouds today. Get up on the roof and shoot some clouds," he did just that. He became thoroughly familiar with the intricacies of the Pathé camera. He loaded and prepared Bitzer's camera. He learned exposure through knowing what the right exposure looked like through the camera. He learned that battlefields must be shot from the north and south, not the east and west, because of the angle of the sun. He started studying Doré's works for composition and Vermeer's for lighting, depending upon pictures collected from old bookstores. He read Cassell's* Encyclopedia of Photography.

*By 1915 and the filming of* The Birth of a Nation *he had advanced enough as a cameraman to be turned loose with a camera and a magazine of film. An added responsibility was the tedious task of shooting all the titles for* The Birth of a Nation. *Afterward, he got a four-year contract with D. W. Griffith starting at forty dollars a week.*

*During the research and filming of* The Mother and the Law, *Brown went with Bitzer and Griffith to visit the San Francisco and San Quentin prisons for background information on jails and hanging. During the shooting of* Intolerance, *he was promoted to second unit camera, where he shot scenes not involving principals, notable among them the toppling of the eighty-foot towers; long, medium, medium close-ups, and close-ups of Assyrians and Babylonians; and army onslaughts. Another of his accomplishments was the retouching of all close-ups of the Christ (Howard Gaye) in "The Crucifixion Story." He no longer shot titles.*

*After the completion of* Intolerance, *Karl Brown became cameraman for Elmer Clifton, who had been promoted to a director.*

*With the advent of World War I, Griffith and most of the company went to England and France to film war pictures, but Brown, who was eligible for the draft, was not permitted to go along. He did assist with the Hollywood studio shots to complete* Hearts of the World *and* The Great Love *on Griffith's return to California. The draft caught up with him in 1918 and he reported to Camp Kearny, California, where he served, except for a one-week furlough to film a scene for Griffith's* Broken Blossoms, *until the armistice.*

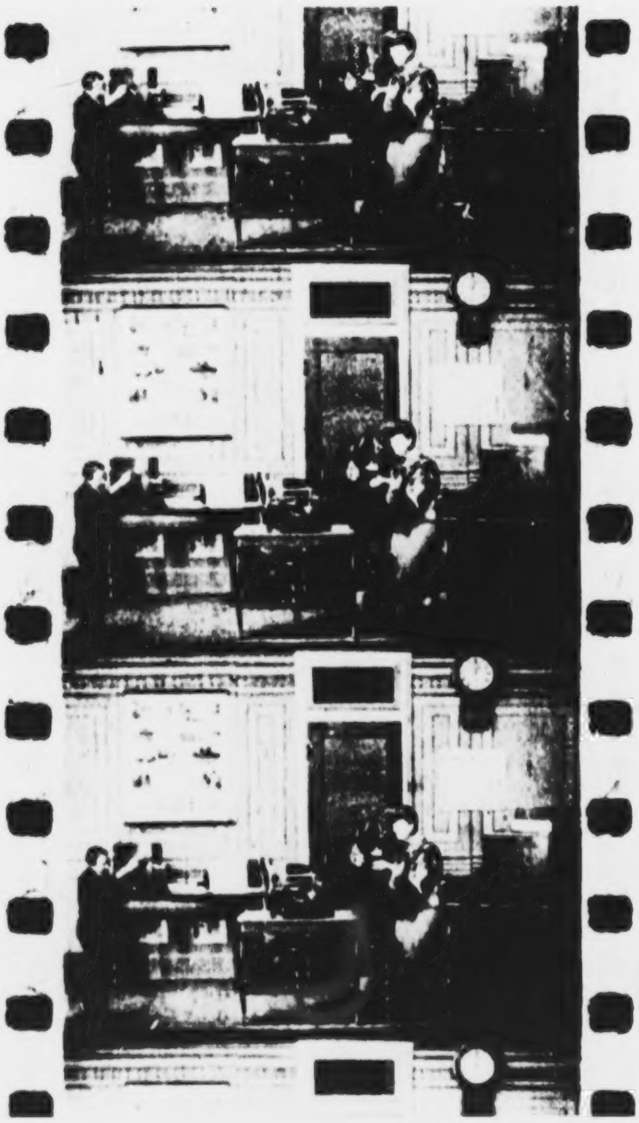
*After his army discharge, he returned to the Griffith studio, but he became restless with the inactivity there and when his contract came up for renewal in 1920 he* *returned it unsigned. On November 11, 1920, he married Edna Mae Cooper, an actress with Famous Players-Lasky, and then he signed on as a camerman for Lasky.*

*He stayed with Lasky for eight years, working with director James Cruze on such pictures as* One Glorious Day *(1922), the acclaimed film* The Covered Wagon *(1923),* The Pony Express *(1925), his first writing job, which he sold to Lasky for $3,500, and* Mannequin *(1926).*

*In 1926 he turned director, filming the documentary-style feature* Stark Love *(1927), shot entirely in the mountains of North Carolina. He directed twelve pictures between 1926 and 1938, writing many of them as well. Among his pictures were* Flames *(1932), with Johnny Mack Brown and Marjorie Beebe,* In His Steps *(1936), with Eric Linden and Cecilia Parker, and* Federal Bullets *(1937), with Milburn Stone and Terry Walker. He wrote the scenarios for* Girl Loves Boy *(1937) and* Gangster's Boy *(1938). After directing* Under the Big Top *(1938), he gave up directing completely to write for such films as* Before I Hang *(1940),* The Ape Man *(1943),* The Chicago Kid *(1945), and* The Vanquished *(1953).*

*In the late 1950s, realizing that retirement was quickly approaching, he started writing and selling stories as rapidly as possible. In 1962, after fifty years in pictures, he and his wife retired to their home in North Hollywood and live mostly in what he describes as obscurity on a comfortable income. There he continues to write, publishing such books as* Adventures with D. W. Griffith *(1973).*

*Photograph of D. W. Griffith assisted by Billy Bitzer, obscured by the camera, and Karl Brown, far right. Courtesy of the Museum of Modern Art, Film Stills Archive.*



The Story of the Biograph Told [The Story the Biograph Told] *(American Mutoscope and Biograph Company). This film was shot on December 1, 1903, by A. E. Weed. Film historians hoped that this would be a documentary about early film production; however, when it was finally restored in the late 1950s it turned out to be another comedy about infidelity. The frame enlargements reproduced here show the manager of a film company carrying on with the secretary as a camera operator photographs them furtively. The Biograph camera can be seen at the left. Later, the manager is surprised when the film is shown at a theater he is attending with his wife. In the final scene, the wife is at the office demanding that her husband's secretary be replaced. This film was released under several titles, which was often the case during that period. A company bulletin from February 1904 lists this film as* Caught by Moving Pictures. *From the Niver Collection.*

Biograph's first long entertainment films were awkward, self-conscious and tedious. As such, they were a distinct contrast to Edwin S. Porter's Edison productions which were lively, imaginative, and more popular.

It was not until March of 1904, when *The Battle of the Yalu** was made, that Biograph began to compete seriously with the Edison Company in the production of longer films. In the meantime they opened 1904 with a heavy production schedule of short films. Of the 104 entertainment films they made during the year, 94 were made during January, February, and March.

During 1904 the company continued to employ Armitage, Bitzer, McCutcheon, and Weed as operators. They were joined by F. A. Dobson. Cameramen Miles, Bonine, Congdon, and Ackerman were no longer working for the firm. Marvin, still with the company, apparently did not operate a camera very often.

During 1904 the number of titles produced declined again to 214, less than half the previous year's total, but there was an increase in the number of longer titles released. During the first half of the year production was very mixed, following previous patterns somewhat, but later in the year the production pattern becomes more complex.

Biograph was still committed to providing new titles for the Mutoscope machines which the company had sold all over the country. The capacity of a Mutoscope machine was limited by the circumference of its drum; therefore, a certain percentage of the company's production had to be short films. Longer films, gradually approaching the 1,000-foot length which would become an industry standard, were making a definite impact on the market by the early part of 1904.

In April of 1904 the company sent Bitzer to Pittsburgh, where he shot a series of more than thirty short films at the Westinghouse plant, similar to Biograph's industrial documentation of the National Cash Register Company the previous year. A copy of the Westinghouse series of films survives in the Library's collection.

The major documentary concern of the summer was the St. Louis Exposition. A. E. Weed spent April to June in Missouri recording a wide variety of events. The Library has copies of most of these films.

In June 1904 the company produced *Personal,** the most famous of its early productions. The camera operator was Bitzer. The film was a popular success and from that time, about one long entertainment film a month was produced for the rest of the year. The production pattern was, however, not strictly regular, as no long work was produced in December, while two long films were made in October.

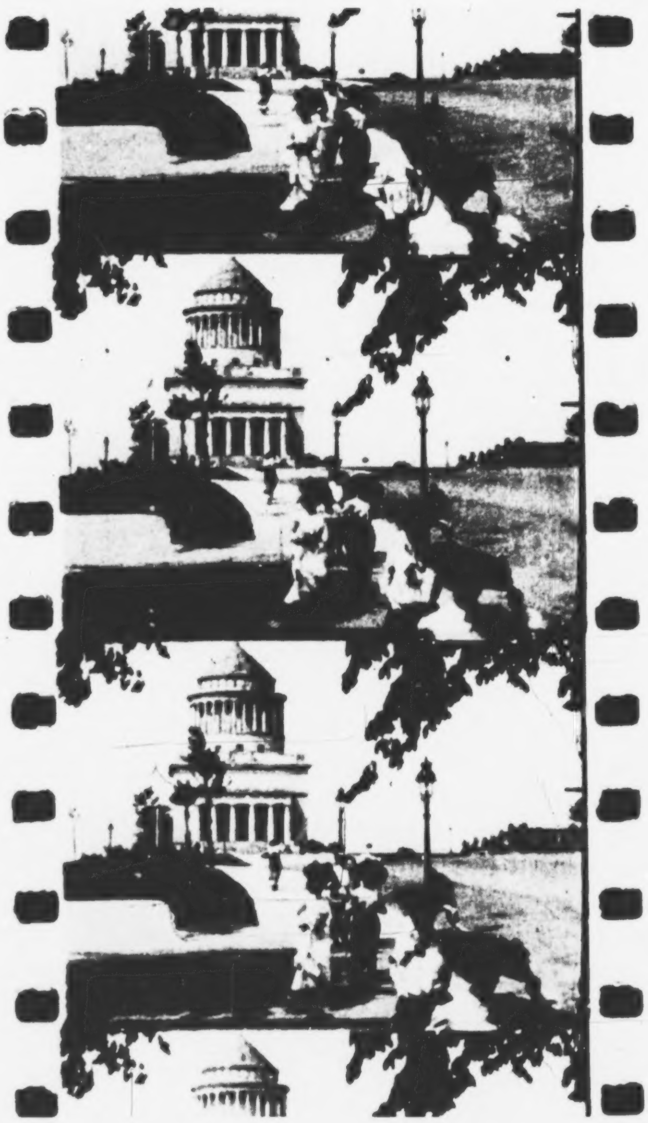
This commitment to longer entertainment films was matched by a few longer actuality releases, such as *Holland Submarine Boat Tests,** made in June, and *Automobiling among the Clouds,** which was made in July at Mt. Washington, New Hampshire.

The logbook also indicates that some form of editing was beginning. The entries for the year 1904 contain the notations "original length" and "corrected length." Most entries are quite neat with only an occasional new entry in the corrected length column, but as the films grow longer in May and June, there are more frequent entries in this column. *Personal* was originally 462.5 feet in length and was corrected to 383.5 feet. *The Holland Submarine Boat Tests,* made by Bitzer on June 20, 1904, was 706 feet, corrected to 454 feet. In August *The Widow and the Only Man** was corrected from 1,010 feet to 462.5 feet.

Although no productions were made in December of 1904, two were made in the film studio during January, including *Baby's Day,** an early attempt at a documentary. It recreated typical baby care of the period but was shot in the studio rather than in someone's home. However, the eastern winter weather did not prevent them from going out to Ft. Lee, New Jersey, to shoot *The Gentlemen Highwaymen** on January 14.

Operators working for the company during 1905 were Bitzer, Armitage, McCutcheon, and Dobson; Weed did not work during 1905.

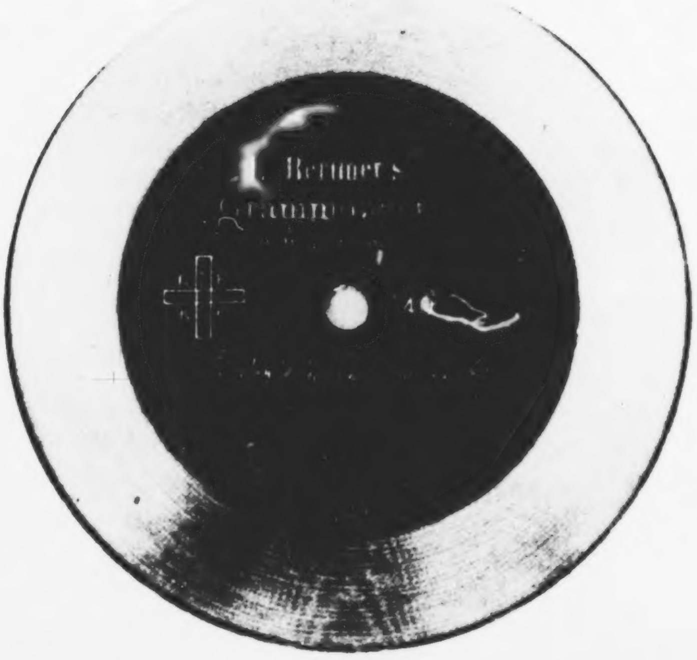
At least one long film a month was produced throughout the year as were a number of shorter films of Mutoscope length. The number of actuality films declined dramatically, from 105 in 1904 (268 in 1903) to 43. The average length increased. The number of entertainment films, 104, was the same as the previous year. By



Personal *(American Mutoscope and Biograph Company). G. W. "Billy" Bitzer photographed this film on June 15, 1904, at Grant's Tomb, Edgewater, New Jersey, and Paterson, New Jersey. The film is the prototype of the chase film genre that was popular with filmmakers and audiences around the world during the decade before World War I. Here we see a young Frenchman who has placed a classsified ad for a wife in which he has invited the prospects to meet him at Grant's Tomb. So many potential brides appear that he runs away in terror, with the ladies in hot pursuit.* Personal *was so popular that the rival Edison Company had its leading filmmaker, Edwin S. Porter, shoot a virtually identical film,* How a French Nobleman Got a New Wife through the N. Y. Herald "Personal" Columns, *on August 23 and 24, 1904, at almost the same locations (Grant's Tomb and Englewood, New Jersey.). From the Niver Collection.*

sidered quite distinct instruments, the former being the cylinder and the latter being the disc format. The word *graphophone* has entirely disappeared from current usage. But during the 1890s all three terms were actively used and since the phonograph and the graphophone were, after 1893, for all intents and purposes identical, there was considerable confusion.

It is still not known exactly when Mr. Berliner launched his gramophone upon the retail market. Apparently the earliest commercially sold records were the three-inch- and five-inch-diameter discs manufactured by the firm of Kämmerer and Reinhardt in Waltershausen, Germany. A firm of toy makers, Kämmerer and Reinhardt most likely obtained the gramophone license from Berliner during one of the latter's periodic visits with his relatives in Hanover. This was apparently around 1890, and for several years afterward the records were sold in Germany, England, and other countries. The discs were reproduced on little hand-turned playback machines, also known as gramophones, while some others were designed for use in talking dolls and other toys. Some early Kämmerer and Reinhardt discs carry a symbol, stamped to the left of the spindle hole; within its cross arms is a mixture of the letters making up "Waltershausen." The letters *KGCF* stamped outside the cross arms are most likely the initials of an unidentified factory that pressed the disc. One company that is known to have made some Kämmerer and Reinhardt pressings, one that did not employ the strange disc symbol described, was the Rhenische Gummi und Celluloid Fabrik. Since these records were exported into England, many of the extant samples have titles in English; however, all other identification was in German. All had "E. Berliner's Grammophon" and the license number "D.R.P. 45048" and usually "Alle Copir-Rechte Vorbehalten." Performers were not named, and song texts and other data were printed on a paper slip glued to the reverse of the disc. Practically none of these records found their way into this country and they are now very scarce, even in Europe. As one British scholar has put it, "They are encountered rather less often than the proverbial blue moon."[5] No catalogs or other advertisements for Kämmerer and Reinhardt Berliners, if indeed any were ever published, appear to have survived the years. It is believed that the last of the records was issued about 1895. The earlier discs were apparently pressed in celluloid, while later ones were made of rubber.



*Berliner "Grammophon" record published by Kämmerer and Reinhardt, Waltershausen, Germany, ca. 1891. The symbol to the left of the spindle hole contains the letters of the word* Waltershausen.

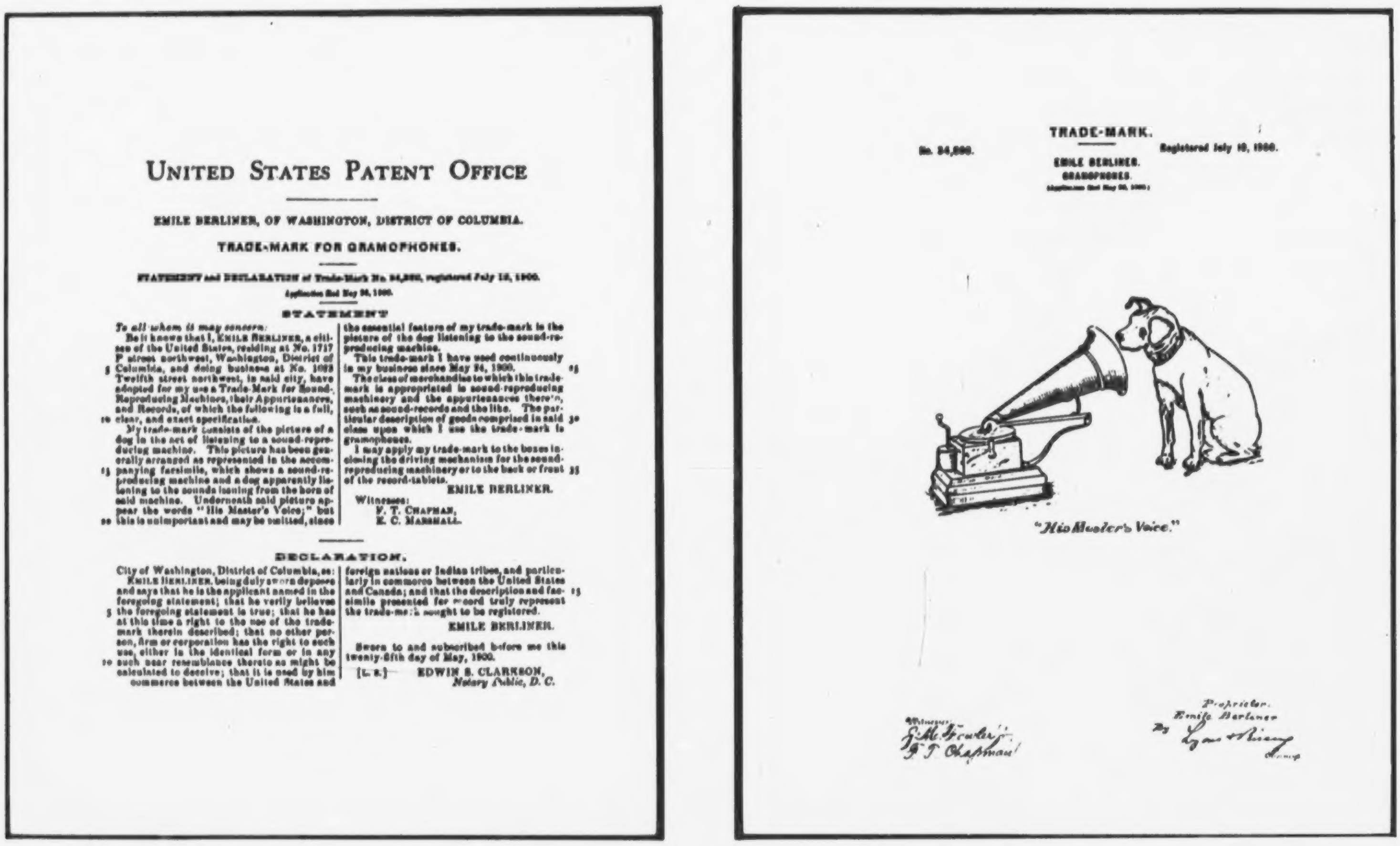
As already mentioned, it has not yet been established just when Mr. Berliner formed the U.S. Gramophone Company and began marketing his disc records. In 1913 he stated that it was immediately following the switch from celluloid to hard rubber records, but unfortunately he does not specify the date.[6] The patent application for pressing records in rubber and other substances was submitted in March 1893, but it was not granted until October 1895. During a court suit in 1905 on this patent number 548,623, it was brought out by the complainants, the Victor Talking Machine Company and the U.S. Gramophone Company, that "In the year 1894, following this invention of *duplicated records* claimed in claim 4, the Berliner gramophone and records came at once into popular favor, and a large demand was created for the same. They were placed on the market in 1894, the year following the application for the patent suit, and even before the patent was issued." Furthermore, in the Robert Sanders Collection in the Library of Congress there is a printed card circulated by the U.S. Gramophone Company declaring "The annual meeting of the Stockholders of this Company will be held . . . on Wednesday, June 6th, 1894 at 3 P.M." The question raised by this card is: Was this the first annual meeting, or does the wording of the card imply an earlier, June 1893 meeting? Since there is no way to answer the question at this time, we can only say the company was formed in late 1893 or early 1894.

There remains the problem of disc records bearing dates earlier than the supposed formation of the company. For instance, in the Library of Congress there is a pressing of Berliner number 205 which is clearly dated 1892, and another dated May 23, 1893, which has led scholars to believe the company was founded as early as 1892. The first of these, however, is pressed in rubber, which indicates it was probably not pressed as early as 1892, and the second is a shellac pressing of the type pressed by the Durinoid Company after 1895. Both of these records may merely indicate that Berliner was making zinc records during the early 1890s and that these were the basis for pressings made at a later date. There is also the possibility that Berliner was actually selling zinc records on a very small scale before the formation of the U.S. Gramophone Company.

The company was established at 1410 Pennsylvania Avenue NW, and the laboratory was set up in the Capitol Traction Company building around the corner at 14th and E Streets NW. The discs issued by the new concern were seven inches in diameter, with speeds varying between about 66 rpm and 72 rpm. All, of course, were single-sided records pressed either in rubber or, later, in Durinoid shellac. It is not known what company made the early pressings, nor is it known who was the original manufacturer of the hand-cranked gramophone machines on which the records were played. It is only known that as early as 1888, Berliner was in contact with the India Rubber Comb Company in New York City concerning experimental pressing of rubber discs.

Berliner placed Werner Suess in charge of the recording studio and matrix-making laboratory. According to Fred Gaisberg's reminiscences, Suess had earlier designed machines for Hermann Von Helmholtz, Robert Bunsen, John Tyndall, Thomas Huxley, and Joseph Henry, an imposing series of names. Among the earliest staff were several young Washington men who later held important posts in the recording industry. These included Fred and Will Gaisberg,

*Staff of the recording laboratory, U.S. Gramophone Company, Washington, D.C., ca. 1895. Front row: Emile Berliner, Werner Suess. Back row: Fred Gaisberg, W. Sinkler Darby, Gloetzner, Joe Sanders, and "Zip" Sanders. Robert Sanders Collection, Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*



UNITED STATES PATENT OFFICE

EMILE BERLINER, OF WASHINGTON, DISTRICT OF COLUMBIA.

TRADE-MARK FOR GRAMOPHONES.

STATEMENT and DECLARATION of Trade-Mark No. 34,890, registered July 10, 1900.

Application filed May 26, 1900.

STATEMENT

*To all whom it may concern:*

Be it known that I, EMILE BERLINER, a citizen of the United States, residing at No. 1717 P street northwest, Washington, District of Columbia, and doing business at No. 1023 Twelfth street northwest, in said city, have adopted for my use a Trade-Mark for Sound-Reproducing Machines, their Appurtenances, and Records, of which the following is a full, clear, and exact specification.

My trade-mark consists of the picture of a dog in the act of listening to a sound-reproducing machine. This picture has been generally arranged as represented in the accompanying facsimile, which shows a sound-reproducing machine and a dog apparently listening to the sounds issuing from the horn of said machine. Underneath said picture appear the words "His Master's Voice;" but this is unimportant and may be omitted, since the essential feature of my trade-mark is the picture of the dog listening to the sound-reproducing machine.

This trade-mark I have used continuously in my business since May 24, 1900.

The class of merchandise to which this trade-mark is appropriated is sound-reproducing machinery and the appurtenances thereto, such as sound-records and the like. The particular description of goods comprised in said class upon which I use the trade-mark is gramophones.

I may apply my trade-mark to the boxes inclosing the driving mechanism for the sound-reproducing machinery or to the back or front of the record-tablets.

EMILE BERLINER.

Witnesses:
F. T. CHAPMAN,
E. C. MARSHALL.

DECLARATION.

City of Washington, District of Columbia, ss:

EMILE BERLINER, being duly sworn deposes and says that he is the applicant named in the foregoing statement; that he verily believes the foregoing statement is true; that he has at this time a right to the use of the trade-mark therein described; that no other person, firm or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as might be calculated to deceive; that it is used by him commerce between the United States and foreign nations or Indian tribes, and particularly in commerce between the United States and Canada; and that the description and facsimile presented for record truly represent the trade-mark sought to be registered.

EMILE BERLINER.

Sworn to and subscribed before me this twenty-fifth day of May, 1900.

[L. S.] EDWIN S. CLARKSON,
*Notary Public, D. C.*

*The U.S. Patent Office's statement and declaration of Emile Berliner's gramophone trademark whereby he was permitted to use Francis Barraud's painting on his records.*

## Berliner's Later Years

For the most part, the last twenty-nine years of his life saw Mr. Berliner turn to quite different fields of research. Beginning around 1908 he became engaged in aeronautical design. With his son Henry, he designed and had constructed one of the first helicopters, a machine that was successfully test-flown at College Park, Maryland, in 1923. Other important scientific research during these years included the development of an underwater detection device employing sound waves. This was a precursor of Sonar, the device that played so important a role in the detection of submarines during World War II. Another invention not to be overlooked was Berliner acoustic tile, which was especially designed for concrete or other hard-surface wall rooms. It came at a most opportune time, for sound motion pictures had just been inaugurated and many motion picture theaters were in desperate need of acoustic improvement. Besides the many theaters which used the Berliner tile, other important buildings applied it, such as the Drexel Institute Auditorium, the Court of King's Bench in Montreal, the Knights of Columbus Hall in Atlantic City, the Municipal Building and the Pension Office Building in Washington, D.C., many churches, and lecture halls in such institutions as Georgetown University and the University of Pennsylvania. It was during the 1920s, as radio was becoming such an important part of our lives, that Mr. Berliner was first referred to by the title "Maker of the Microphone" in recognition of his development of the loose contact transmitter.

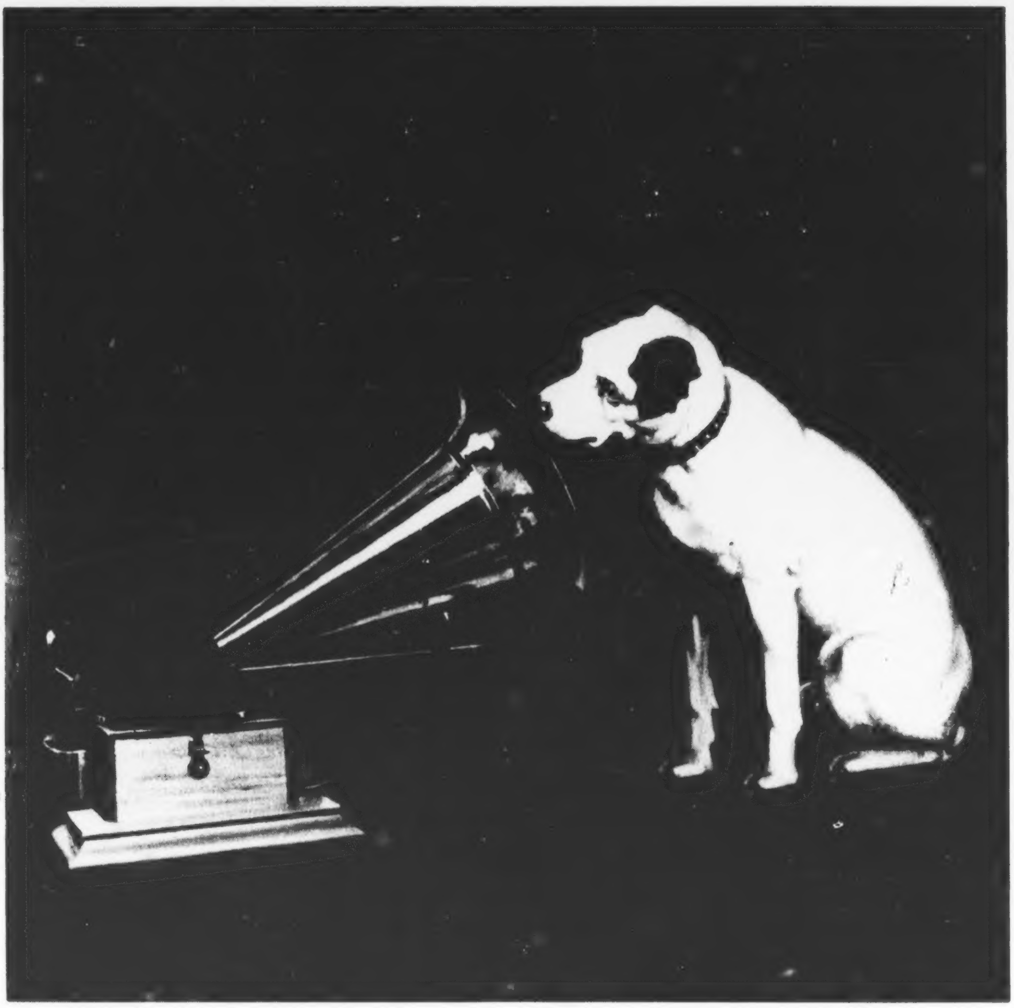
Aside from his involvement in scientific work, Mr. Berliner also devoted himself to humanitarian projects. He was the leading figure in Washington, D.C., in educating the public as to the need for milk pasteurization and the great danger, especially to children, in the then widespread use of raw milk. He was very active in the field of child health in general and was a leading member of the District of Columbia Health Committee. He wrote and privately printed *Muddy Jim and Other Rhymes*, a series of jingles designed to promote healthful habits in younger children. For a number of years he provided a silver cup which was awarded annually to the American city having the largest enrollment of children in the so-called Health Crusade. Mr. Berliner was also the president of the District of Columbia Tuberculosis Society for five years.

As with so many other immigrants, Emile Berliner took his American citizenship seriously and proudly. He was the composer of three published patriotic choruses entitled "Columbian Anthem," "Hail to Our Native Land," and "Old Glory."

In a May 9, 1928, letter to his wife concerning arrangements for his funeral, Berliner expressed both his humanitarian and patriotic feelings:

> When I go I do not want an expensive funeral. Elaborate funerals are almost a criminal waste of money. . . .
>
> I should like Alice to play the first part of the Moonlight Sonata and at the close maybe Josephine will play Chopin's funeral march.
>
> Give some money to some poor mothers with babies and bury me about Sunset.
>
> I am grateful for having lived in the United States and I say to my children and grandchildren that peace of mind is what they should strive for.

Although the name Emile Berliner is little known to the record-buying public, without him the development of sound recording would have been different in ways hard to imagine. His word *gramophone* has been largely abandoned in this country—only the diminutive, *Grammy*, is still used in referring to the award given yearly by the National Academy of Recording Arts and Sciences. There remains, however, one good memorial to Mr. Berliner that shows little sign of being abandoned and which is recognized in every country in the world—Nipper listening to "His Master's Voice."



*Nipper listening to "His Master's Voice" was Victor's trademark for many years and is currently used by RCA Records.*

great experimentation and development. It is remarkable that except for technical equipment advances and sound, the basic filmmaking techniques they helped develop stand today.

The interviewees were completely different in temperament and personality, but some common traits—such as pride in self and work, strength of character, tenacity, aggressiveness, desire to achieve, self-confidence, sense of humor, and a respect for one another—come out in the interviews.

All had a natural talent for their work. They succeeded because they seldom considered failure. Lack of formal education did not deter them. They were in movies because they wanted to be. In order to stay there, they had to be the best. They were doing something that very few of their peers were able to do because it was a disgrace in many social circles to work in the movies. But they considered themselves very special people engaged in a very special craft. They all had great confidence in their abilities.

They obviously were not well acquainted with one another when they worked with Griffith but grew to respect and admire one another in old age. They enjoyed being discovered by film historians, students, and others, and liked to share their experiences. They had a sense of history and were eager to get their life stories written or preserved on tape. Miriam Cooper, Joseph Henabery, Lillian Gish, and Anita Loos all arranged for their memorabilia to be deposited either in the Library of Congress or the Museum of Modern Art. Their films have not been as well preserved and many have been lost through deterioration or destruction. Still photographs are the only remaining source of information about many of the films they were involved in producing. The taped words and voices of the interviewees provide the means to experience more closely the period of the silent film.

## Intolerance

*Intolerance* is a long motion picture—on fourteen reels of film, it lasts over two hours. Audiences tend to find it bewildering and exhausting and are confused by the constant intercutting of the four stories representing four different time periods, each with its own set of characters: "The Modern Story" (or *The Mother and the Law*), "The Babylonian Story," "The Medieval French Story (or the St. Bartholomew Massacre)," and "The Judean (or Crucifixion) Story." Intercuts of a woman rocking a cradle are used to tie the stories together.

The film grew out of a five-reel melodrama entitled *The Mother and the Law* that Griffith had almost completed before the release of *The Birth of a Nation.* After the financial success and critical acclaim of *The Birth of a Nation,* Griffith feared that audiences would consider *The Mother and the Law* disappointing. Anxious to live up to his reputation as the greatest genius of the cinema, he took *The Mother and the Law* and intercut it with three other stories to create the epic *Intolerance.*[2]

*The Mother and the Law,* set in a modern time period, deals mainly with social intolerance, the miscarriage of justice, and class hatred, bleakly revealing the wrongs inflicted by a pious factory owner on his employees and the events that ensue. The Babylonian episode illustrates the intolerance of one people for another and the intolerance of a priest for the beliefs of a different religion. The medieval French story deals with the massacre of French Protestants by Catholics in 1572. The Judean story uses incidents from the life of Christ—Christ and the Pharisees, the marriage of Cana, and the Crucifixion. In each of the stories intolerance is the initial theme but the topic is not expanded or reinforced by the action. As a result, the film turns into a melodrama.

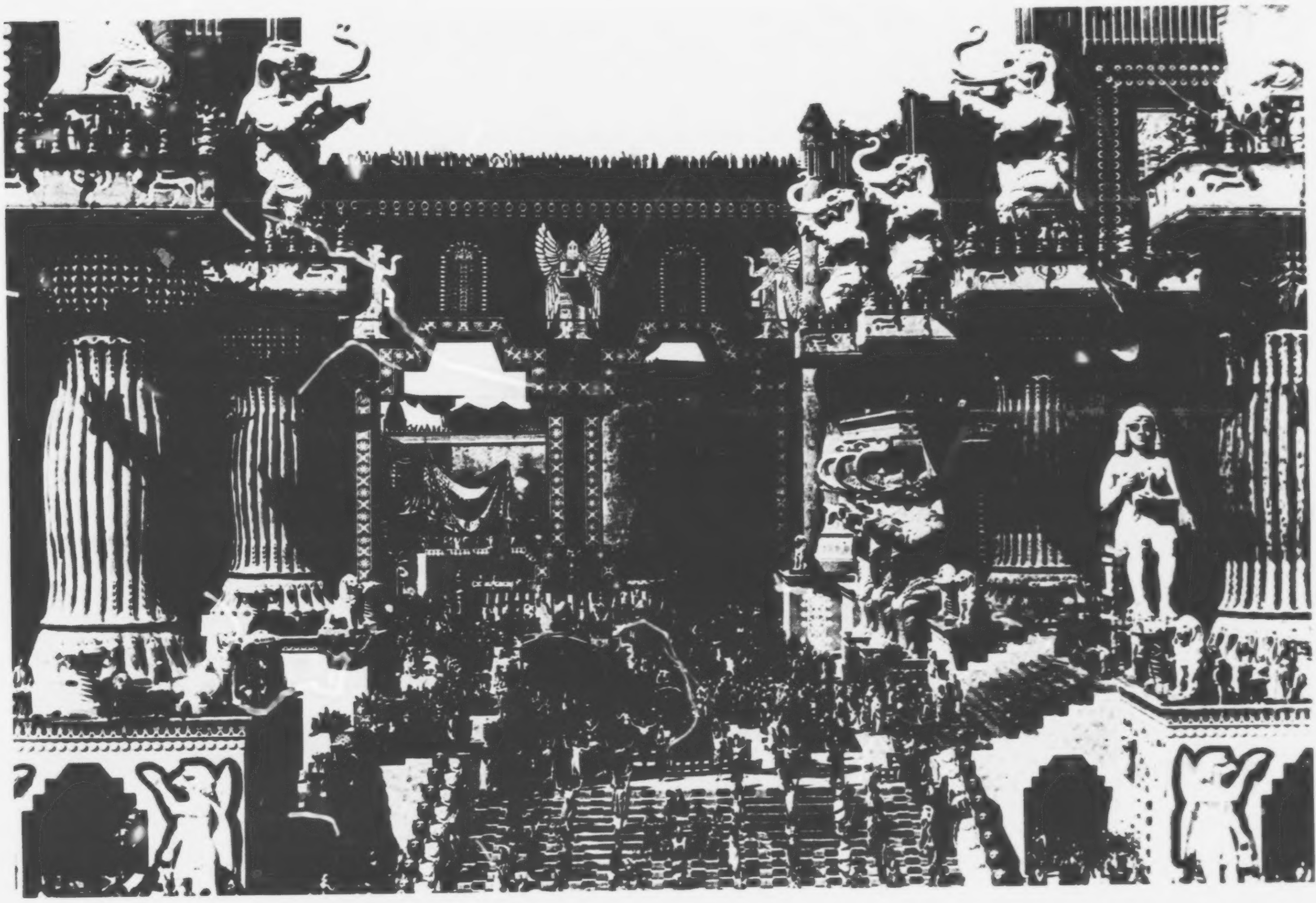
Despite its length and complexity, Griffith created the entire film without a written script. It was all in his head.[3] The film took almost two years to make and cost two million dollars to produce.[4] G. W. "Billy" Bitzer, the principal cameraman, was assisted by Karl Brown in shooting the film. Many of the scenes were tinted red, green, blue, and yellow. Unless fading has changed the originals, Griffith used varying intensities and combinations for these tints, which differ on various frames of the film. His use of color was unrealistic and contributes immeasurably to the emotional intensity of the film.[5]

Music for full orchestra accompaniment was arranged by Joseph Carl Breil under Griffith's supervision. The cast included sixty credits and hundreds of uncredited extras. Crowd and battle scenes used thousands of actors and actresses. Some fifteen thousand persons and two hundred and fifty chariots were used for the filming of the "Fall of Babylon" sequence. Griffith drew on the talents of the regular members of the stock company as well as many relative newcomers who went on to become important actors, actresses, and directors.[6]

The giant sets for the film were built without architectural plans on the corner lot of Sunset and Hollywood Boulevards. The structures rose to towering heights, growing from day to day as Griffith had new ideas and told his carpenters what he wanted.[7] It was perhaps the greatest set ever constructed. Gigantic walls, painted to simulate stone, were built under the supervision of Huck Wortman. The walls rose to a height of one hundred feet and were adorned with reliefs of winged creatures and elephants. Towers reached much higher.[8] The walls were wide and strong enough to hold the weight of racing horses, chariots, and the throngs of soldiers used in battle scenes. Huge heavy gates, built like those of ancient Babylon, were opened by actors portraying slaves pushing big iron wheels on either side of the gates.

Sets were also constructed to resemble ancient Judea and the Paris of Louis IX. Thousands of pieces of furniture, decorative items, swords, guns, and other objects were built or collected. Although the Los Angeles fire department ordered the sets dismantled in 1916, Griffith managed to delay the destruction until 1917.[9] They were so solidly built that parts of them survived on back lots for many years.

Previewed in a theater in Riverside, California, on August 6, 1916, *Intolerance* opened at the Liberty Theatre in New York City on September



*Massive sets and crowds of actors and actresses in "The Babylonian Story," one of the four stories in D. W. Griffith's* Intolerance, *contributed to the creation of a spectacle that was too long and too complicated to please audiences. Courtesy of the Museum of Modern Art, Film Stills Archive.*

# Lillian Gish

*Lillian Gish's acting career has spanned more than seventy years and includes over ninety films, numerous stage plays, and radio and television appearances. Born on October 14, 1896, in Springfield, Ohio, she began acting at the age of five years in Rising Sun, Ohio, in a traveling stage company melodrama. Her mother and her younger sister, Dorothy, also turned to acting with various touring companies, and thus the family supported itself.*

*In 1912, through an introduction to D. W. Griffith by their friend Mary Pickford at the Biograph Company studios at 11 East Fourteenth Street in New York, Lillian and Dorothy were launched on film careers. They quickly became regular performers for the Biograph Company under D. W. Griffith's direction. Lillian Gish left Griffith briefly late that year to perform in David Belasco's stage play* A Good Little Devil *but returned to Biograph in 1913 and appeared in numerous films, among them* The Mothering Heart *and Griffith's western* The Battle of Elderbush Gulch. *When Griffith left Biograph to join the Mutual Film Corporation, Lillian and Dorothy moved with him.*

*Established as a star in the part of Elsie Stoneman in* The Birth of a Nation *(1915), Lillian Gish played a small but key role in* Intolerance *(1916) as the woman whose rocking of a cradle ties the four stories together. Thereafter, she appeared only in parts tailored to her talents. During World War I, she, her mother, and Dorothy traveled to England and France with D. W. Griffith to make a war film,* Hearts of the World *(1917). In 1918 she appeared in a Liberty Bond short and two more war pictures,* The Great Love *and* The Greatest Question. *Still under Griffith's direction, she appeared in 1919 in two romantic dramas,* A Romance of Happy Valley *and* True Heart Susie, *before portraying Lucy in* Broken Blossoms, *in what has been considered her best performance.*

*After directing a movie on her own,* Remodeling Her Husband *(1919), and appearing in the celebrated* Way Down East *(1920), she left Griffith for a time. She returned in 1921 when they did their last film together,* The Two Orphans.

*Under contract with Inspiration Pictures, she starred in* The White Sister *(1923) and* Romola *(1924). In 1925 she signed a contract with MGM to make six films in two years, of which five were completed. Notable were* The Scarlet Letter *(1926) and* The Wind *(1928), directed by Victor Seastrom.*

*Her first talkie was* One Romantic Night, *released in 1930 as part of a contract with United Artists for three talking films to be chosen by her. Disappointed by the first film, she asked to be released from her contract and returned to the stage in Jed Harris's revival of* Uncle Vanya.

*She never returned to full-time film acting but has devoted her talents primarily to the stage and some radio and television work. She has appeared in fewer than fifteen films since 1930, among them* His Double Life *(Paramount, 1933),* Miss Susie Slagle's *(Paramount, 1946),* Duel in the Sun *(Selznick-United Artists, 1947),* Night of the Hunter *(United Artists, 1955),* Orders to Kill *(UMPO, 1958), and* The Comedians *(MGM, 1967).*

*Lillian Gish was nominated for an Academy Award for her performance in* Duel in the Sun. His Double Life *was selected by the New York* Times *as one of the Best Ten films of that year, and* All the Way Home, *a stage play in which she appeared in 1960, won both a Pulitzer Prize and the Drama Critics' Award. She has been awarded honorary degrees from Rollins College and Mount Holyoke College.*

*She collaborated with Albert Paine Bigelow on* Life and Lillian Gish, *a book published in 1932. In 1969, with Anne Pinchot, she wrote* Lillian Gish: The Movies, Mr. Griffith & Me. *This was followed in 1973 by* Dorothy and Lillian Gish.

*Lillian Gish as Elsie Stoneman in* The Birth of a Nation. *Courtesy of the Museum of Modern Art, Film Stills Archive.*

over have adopted and expanded upon its filming techniques. Theodore Huff has called it "the greatest motion picture ever produced. In its original form and properly presented, it is a masterpiece of creative conception and execution."[62]

**Impressions of D. W. Griffith**

The man who created *Intolerance* was an innovator and genius of the early film industry, yet he died comparatively unknown. He was a complex man. Born and reared in Kentucky, D. W. Griffith valued Southern tradition and courtly manners but occasionally carried these values to the extreme. Aspiring in his youth to be a writer and dramatic actor, he became instead a film director. But he retained the instincts of the writer and actor.

Possibly no one ever knew him intimately. He had business, personal, and family associates, but apparently none became an intimate part of his life, at least not for any length of time. His business associations, except for those with Frank Woods and Billy Bitzer, were not longstanding. He married twice, but both marriages ended in divorce. He loved his family, especially his mother, but his relatives for the most part did not return his love. They showed only a fondness for his money and eagerness to take advantage of his generosity.

Those who worked or associated with Griffith are unable to provide more than a superficial description of the total man but emphasize his personality, voice, and physical characteristics or his creative and technical abilities. They are consistently loyal and respect him as a person and as a creative genius of his time.

Lillian Gish may have known and understood Griffith better than anyone else during his early years of filmmaking. She describes her first impression of him in her book:

> I grope in the files of memory for my first impression of David Wark Griffith. He looked so tall to my young eyes, yet he was two inches under six feet. He was imposing; he held himself like a king. Later I discovered that he could no more slouch than change the color of his blue eyes, which were hooded and deepset. He was vigorous and masculine-looking. Under the wide-brimmed straw hat set on his head with a jaunty curve to the brim, his brown sideburns were rather long. His nose was prominent; his profile seemed to belong on a Roman coin, and he had the heavy lower lip and jaw of the Bourbons. It was an important face.[63]

Just to live in daily contact with Griffith was a notable experience for Anita Loos.[64] She describes him as like an Indian chieftain with a certain dignity and restrained but imposing manner.[65] She thinks there was a certain naivete about him that approached prudery.[66] He was very formal. Nobody was ever called by his or her first name in the studio. "You were always Miss Loos or Mr. Griffith."[67]

Miriam Cooper regards Griffith as a Victorian gentleman. His manner, dress, and the discipline he exercised over the lives of his actresses exemplified to her the Victorian father none of his fatherless actresses had. She recalled that he had a large mouth and a lovely voice.[68]

To many, Griffith's voice was his distinguishing characteristic. Its tones, resonance, and inflexions had an almost hypnotic power over an actor's emotions and performance. Brown describes Griffith's voice:

> He had a very flexible voice. It varied according to the occasion. He could shout if he had to. He could coax. The one outstanding thing about his voice was his laugh which was almost exactly like that of a jackass. It was a very funny indrawn laugh.[69]

Miriam Cooper describes Griffith as a man of honor and dignity who treated everyone fairly and always kept his word. She liked him and everything about him. "He was one of the most wonderful men I've ever known."[70] "He was just marvelous to all of us."[71] "He had a wonderful disposition. He was very patient and never lost his temper, at least not with me."[72]

A very private man, Griffith seldom discussed anything about his personal life. Miriam Cooper was not aware at the time she was acting under his direction, for instance, that he had been married to Linda Arvidson, one of the Griffith actresses.[73] He seemed to care little for a high style of living or, if he did, he kept it to himself. His activities away from the studio were largely unknown. He seemed to be immune from what Karl Brown called "the rich-man syndrome."[74] Women whom he directed adored him on the set but in his personal relationships with them he seemed inept at times.

Griffith's ability to inspire and mold talent seems to have been unrecognized by himself as well as by others at the time. Anita Loos feels she was much more impressed with Griffith as a man than as an artist but that his enormous imagination had a telling effect in his ability to mold and use "raw human material."[75] She had worked for Griffith for a long time before she had any realization that he was the genius that he was. She did not think he realized himself what he was doing because he always hated the movies and wanted to get away from them. She said he considered himself a playwright, "which he wasn't because the plays of his that exist are just trash. He didn't know his own talent."[76]

Joseph Henabery told Brownlow that Griffith had been an inspiration to him because of Griffith's great appreciation of acting details, not because of his innovations. He believes Griffith was the first director to realize that a good story depends upon characters who are well developed and interesting. He had great insight and a great feeling for contrasts. Griffith worked without any of the aids considered necessary today. He had no art director, no character make-up man, no hairdressers, no special effects department, no scriptwriter—and no script! He was a very appreciative man. Henabery said "he didn't come up and clap you on the back, but something would happen in your favor, and that's how he would show his appreciation."[77]

Griffith had an almost evangelical approach toward film. He spent long hours during the day directing films and equally long hours at night in the cutting room assembling them. He did not take vacations. He told the actors that it was predicted in the Bible that film was the universal language that would make all people brothers, end wars, and bring about the Millenium.[78] When he overheard an actress make a disparaging remark about working in the flickers he remonstrated that he never wanted to hear that word again in his studio. He told her "what we do here today will be seen tomorrow by people all over America—people all over the world! Just remember that the next time you go before the camera."[79]

Karl Brown characterizes Griffith as a very extraordinary person born in a dark circle with motion pictures as the only slit of light through which he could see. The rest of the world meant nothing to him. But what he could see through that tiny slit nobody else could see and that was his beginning and that was his end.[80]

After *Intolerance* Griffith never again experienced the total freedom to produce and direct as he wanted. He was forced to work for others in order to pay off the huge debts incurred in the production of *Intolerance*. His career declined. He had no purpose in life. Brown conjectures that "Griffith's end began with his loss of freedom. When he lost this freedom, he lost everything. He could not possibly follow anybody else's preconception of what he ought to do with his talent."[81]

Lillian Gish has probably been the most influential person in memorializing D. W. Griffith. She endeavored for years to persuade the U.S. Postal Service to create a commemorative stamp, which was eventually issued in 1975, the centenary of Griffith's birth. She included his name in the title of her autobiography. She helped with the script and contributed the title to *Silver Glory*, a dramatic narrative of Griffith's life with excerpts from his films, produced for television by Fred Coe. She put together and narrated a film, *Lillian Gish and the Movies, the Art of Film, 1900–1928*, in which she paid high tribute to Griffith, and she was instrumental in preserving his papers and films at the Museum of Modern Art.

D. W. Griffith has become important in film history for his technical innovations, but many of his artistic achievements have been overlooked. He strove very hard to perfect the film as a vehicle of ideas. He produced hundreds of films during the years he spent making motion pictures. It is through these films, through the Griffith style, the enthusiasm, the projection of himself into his work, and the tremendous respect of those who worked with him in the early years, that a partial understanding of the complexity and intensity of the man can be realized.

## NOTES

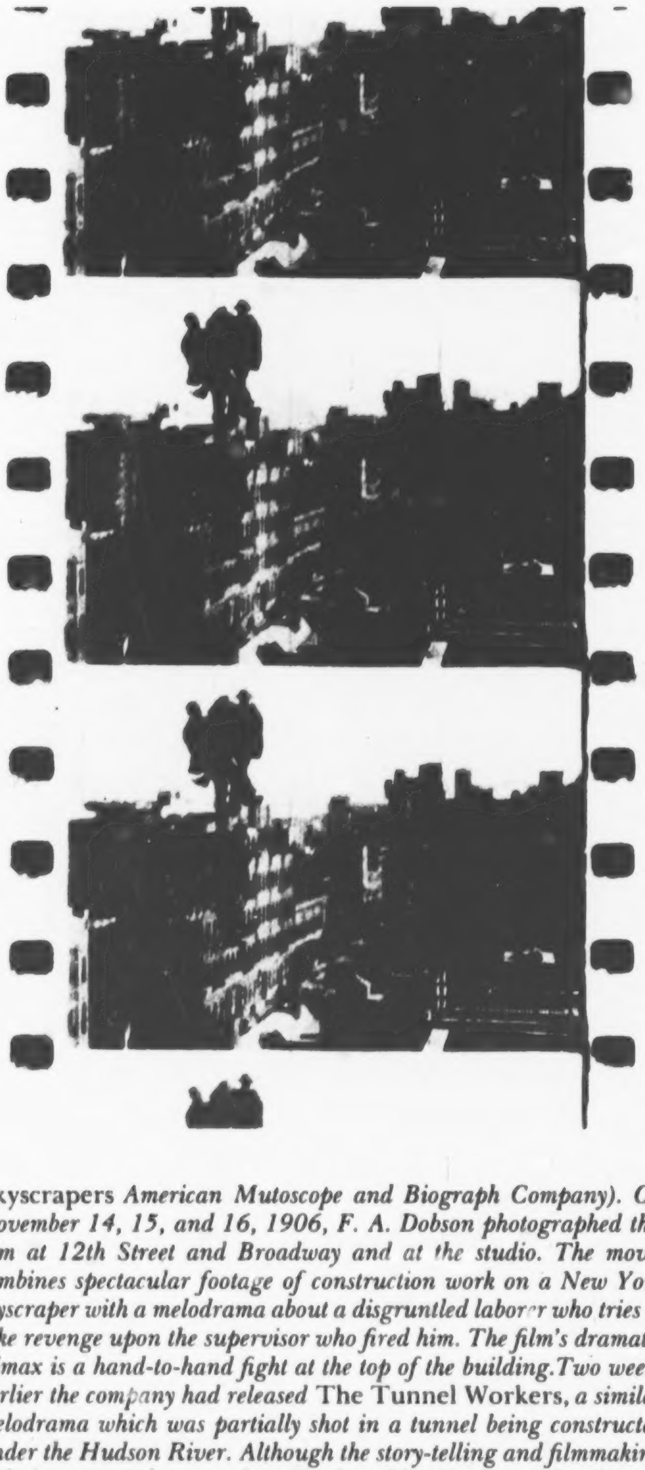
1. Copies and transcripts of the taped interviews are part of the collections of the Motion Picture, Broadcasting, and Recorded Sound Division of the Library of Congress.

2. Arthur Lennig, *The Silent Voice: A Text* (Troy, N.Y.: Walter Synder, Printer, 1969), p. 62

3. Iris Barry, *D. W. Griffith: American Film Master*, rev. ed. (New York: Museum of Modern Art, 1965), p. 51.

4. Lillian Gish, *Lillian Gish; The Movies, Mr. Griffith & Me* (New York: Avon Books, 1970), p. 177.

5. Theodore Huff, *Intolerance: The Film by David Wark*



Skyscrapers *American Mutoscope and Biograph Company). On November 14, 15, and 16, 1906, F. A. Dobson photographed this film at 12th Street and Broadway and at the studio. The movie combines spectacular footage of construction work on a New York skyscraper with a melodrama about a disgruntled laborer who tries to take revenge upon the supervisor who fired him. The film's dramatic climax is a hand-to-hand fight at the top of the building.Two weeks earlier the company had released* The Tunnel Workers, *a similar melodrama which was partially shot in a tunnel being constructed under the Hudson River. Although the story-telling and filmmaking techniques seem very crude now, the addition of actuality footage added a vitality that may explain why these primitive dramas commanded ever-increasing audiences. The men who made them were more experienced with recording reality than melodrama. The company advertised the tunnel movie as "In the Bowels of Manhattan with the Biograph" and the skyscraper movie as "On the Highest Roof in New York City with the Biograph." From the Niver Collection.*

the end of 1905 the number of longer entertainment films (450 feet to 750 feet) being made had increased to two or three a month.

In January of 1906 the company made *The Jolly Monks of Malabar** (653.5 feet), *The Insurance Solicitor** (611.5 feet), *A Friend in Need Is a Friend Indeed** (516.75 feet), *Mr. Butt-In** (680.5 feet), and *The Critic** (748 feet). In addition, an actuality film, *Seeing Boston,** was made and released at 398.75 feet.

Once again, during 1906 the total number of film titles produced declined (to 113), with about half being actuality and half dramatic. The staff of cameramen was reduced to Bitzer, Dobson, and O. M. Gove, the last working only in California.

Mutoscope productions continued to be made, but the concentration on longer productions was now a clear commitment.

No longer were there months of frantically heavy production and periods of no production as in earlier years. Production dropped to five titles in February and three in March. The heaviest production month during 1906 was June, when fourteen titles were produced, although twelve were made in both April and May. Production again dropped to five in July, although this may reflect the closing of the studio for vacation during part of the month.

For those interested in firsts, the Biograph records indicate that on June 12, 1906, O. M. Gove shot *A California Hold Up* in Los Angeles, certainly one of the first westerns made in the area.

What conclusions can be drawn from this information? First, between 1900 and 1906 the company moved from rather primitive, short film production to longer, more sophisticated production; from elementary single scene films to more complicated productions, clearly the beginning of structured movies as we know them today.

Second, production moved from an exterior, rooftop studio, which depended upon natural light and favorable weather, to an indoor studio with artificial light, making longer productions possible. Also, by 1906 there is evidence that both individual productions and patterns of production are being more carefully planned, a change from the dependence upon improvised filming which characterized production at the turn of the century.

The gradual reduction in the number of cameramen employed by the company seems to reflect a change in production techniques. At the turn of the century only one cameraman-operator would be at the studio to film entertainment productions on the roof, while several men would be traveling, both at home and abroad, shooting short actuality footage. By 1906 even the production of actuality films changes, and longer, more structured films are being produced. These films are much closer to the sort of documentary productions we know today than the single scenes which were typically made in 1900.

Finally, there is evidence that the experience of the early camermen-operators who learned to shoot movies out-of-doors and learned camera skills by photographing objects that moved, led to an interesting mixture of exterior and interior shooting even when more sophisticated interior staging was possible in an artificially lighted indoor studio. From the earliest days of studio production, Biograph's filmmakers went to the countryside or out into the streets of the city to shoot their films but shot the interior scenes on the Fourteenth Street studio sets. This pattern of filmmaking was well established when D. W. Griffith joined the company in 1908. These early filmmakers were almost obsessed with having constant movement in their films. At times this obsession created a nervous quality in the films, but in the best hands this passion for action and shooting in natural settings provided the beginnings of the vigorous, lively American cinema that would prove to be so popular with audiences worldwide.

**Biograph Company Productions**
**1900–1906**

| | Theatrical | Nontheatrical | Uncertain* | Annual Total |
|---|---|---|---|---|
| 1900 | 194 | 166 | 14 | 374 |
| 1901 | 49 | 286 | 17 | 352 |
| 1902 | 52 | 117 | 18 | 187 |
| 1903 | 225 | 266 | 5 | 496 |
| 1904 | 104 | 105 | 5 | 214 |
| 1905 | 104 | 43 | 9 | 156 |
| 1906 | 46 | 52 | 15 | 113 |
| Total | 774 | 1,035 | 83 | 1,892 |

*Not enough information available to determine if the film is theatrical or nontheatrical.

## NOTES

1. Kemp R. Niver, comp., *Biograph Bulletins, 1896–1908*, ed. Bebe Bergsten (Los Angeles: Locare Research Group, 1971).

2. Other competitors existed, particularly the Vitagraph Company of America, but they were not yet a serious threat; however, their time would come. At the time of these early suits, the Edison Company was purchasing some Vitagraph films to expand its sales catalog.

3. The company's name was changed to the Biograph Company in 1909.

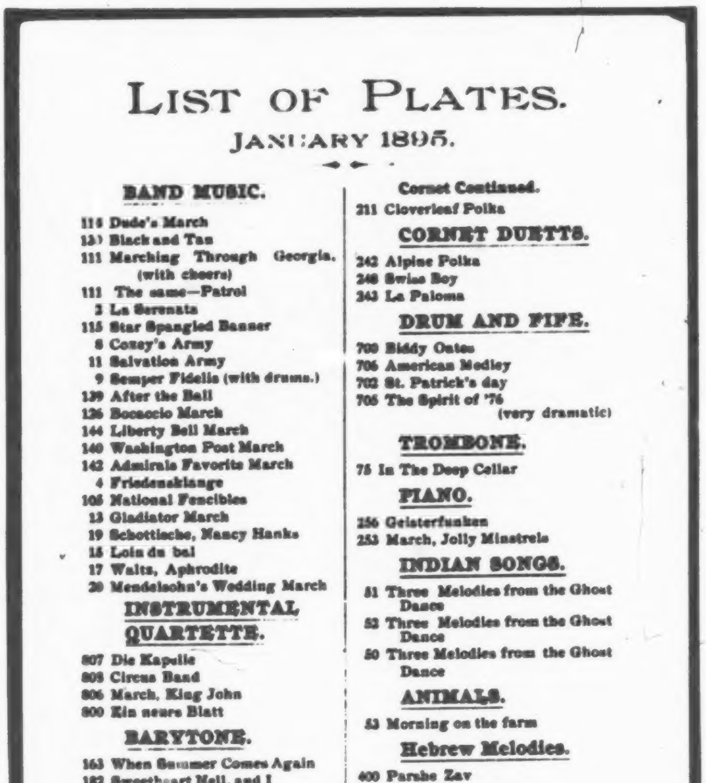
4. The handwriting in the logbook is not always clear, but it appears to indicate Marvin for this production.

W. Sinkler Darby, and Joseph and "Zip" Sanders. Berliner's two oldest sons, Herbert and Edgar, should also be counted among the personnel and both, especially Herbert, were prominent in the establishment of the Berliner Gramophone Company in Montreal in 1900, as well as other gramophone ventures.

## Recording Repertories

The repertory of the earliest Berliners is hardly known, owing to the lack of extant records and catalogs. We can be sure, however, that it deviated little from the repertory of other recording companies of the period, such as the North American Phonograph Company (whose recordings were made at the Edison plant) and the Columbia Phonograph Company. A typical repertory was made up of popular and traditional songs, funny stories, band pieces, miscellaneous solos played on those instruments that recorded well (such as the cornet, trombone, and piccolo), whistling solos (seemingly the late nineteenth century was particularly rich in whistlers), and a few dramatic recitations. The performers would have been Washington residents and perhaps a few outsiders who came to town to make recordings for the fast growing Columbia company and were glad to earn a few more dollars from Berliner. One notable exception was the U.S. Marine Band, which did not record for Berliner until 1899. Apparently Francesco Fanciulli, Sousa's successor as leader, felt that the Columbia company was keeping his men busy enough. For band recordings, Berliner used Will Haley's Concert Band of Washington, a group about which nothing else is known. Apparently the very earliest records were issued without any reference to the performer, as with record number 205, an anonymous cornet solo recorded in 1892, which is in the Library's collections. To make matters worse, the earliest advertisements and lists, which come from early 1895, only occasionally name the performers. The Library's 1895 broadside "List of Plates" cites about eighty-six records, but only David C. Bangs, "the eminent, versatile elocutionist," is named as a performer.

The 1895 list is particularly interesting in that it shows Berliner had already issued three discs made up of American Indian chants. These are surely among the first, if not actually the very first, recordings ever published of the music of



LIST OF PLATES.

JANUARY 1895.

BAND MUSIC.

114 Dude's March
130 Black and Tan
111 Marching Through Georgia. (with cheers)
111 The same—Patrol
3 La Serenata
115 Star Spangled Banner
8 Cozey's Army
11 Salvation Army
9 Semper Fidelis (with drums.)
139 After the Ball
126 Bocaccio March
144 Liberty Bell March
140 Washington Post March
142 Admirals Favorite March
4 Friedensklange
106 National Fencibles
13 Gladiator March
19 Schottische, Nancy Hanks
15 Loin du bal
17 Waltz, Aphrodite
20 Mendelsohn's Wedding March

INSTRUMENTAL QUARTETTE.

807 Die Kapelle
808 Circus Band
806 March, King John
800 Ein neuers Blatt

BARYTONE.

163 When Summer Comes Again
182 Sweetheart Nell, and I
175 Old Kentucky Home
191 Black Knight Templars
185 Throw Him Down McCloskey
183 Oh, Promise Me
176 Love Me Little, Love Me Long
150 Oh, Fair Art Thou
155 Anchored
170 Mamie Come Kiss your Honey Boy
166 Then You'll Remember Me
160 The Maiden and the Lamb
165 Red, White and Blue
169 The Coon That Got the Shake
157 Tramp, Tramp, Tramp
158 Sweet Marie
196 The Whistling Coon
189 Phœbe
193 Back among the old folks
198 Swim out O'Grady
902 Sword of Bunker Hill

CLARIONET.

300 Allegro (Verdi)

CORNET.

200 Polka, Elegant
205 Call Me Thy Own
206 Emily Polka
202 U. S. Military Signals
203 Welcome, Pretty Primrose

Cornet Continued.

211 Cloverleaf Polka

CORNET DUETTS.

242 Alpine Polka
248 Swiss Boy
243 La Paloma

DRUM AND FIFE.

700 Biddy Oates
706 American Medley
702 St. Patrick's day
705 The Spirit of '76 (very dramatic)

TROMBONE.

75 In The Deep Cellar

PIANO.

256 Geisterfunken
253 March, Jolly Minstrels

INDIAN SONGS.

51 Three Melodies from the Ghost Dance
52 Three Melodies from the Ghost Dance
50 Three Melodies from the Ghost Dance

ANIMALS.

53 Morning on the farm

Hebrew Melodies.

400 Parshe Zav

SOPRANO.

359 Oh, Promise Me
352 Oh, How Delightful
355 Star Spangled Banner
353 I've something sweet to tell you
363 Tell her I love her so
362 Some Day
350 Past and Future
365 Punchinello
354 In the gloaming
356 Loves Sorrow

CONTRALTO.

550 Beauties Eyes
551 Drink to me only
552 Oh, Promise me

RECITATION.

We have for this important department secured the co-operation of the eminent, versatile elocutionist, Mr. David C. Bangs.

602 Marc Anthony's Curse
A Lesson in Elocution.
600 The Village Blacksmith
(Many others in preparation.)

VOCAL QUARTETTE.

851 Blind Tom (negro shout)
853 Grandfather's Birthday
855 Negroes' holiday

It is expected that between 25 and 30 New Pieces will be added every month.

THE UNITED STATES GRAMOPHONE CO.,
1410 Pennsylvania Ave., N. W.,
Washington, D. C.

*"List of Plates." A broadside published by the U.S. Gramophone Company, January 1895. This list shows that the company was using a block numbering system. Robert Sanders Collection, Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress.*

the American Indian. The origin of these recordings is clarified by the catalog supplement of June 1896 in which the company states the recordings were made by "Prof. James Mooney, Indian Expert, Smithsonian Institute." Mooney had journeyed to the Western Plains from 1890 to 1891, under the auspices of the Bureau of Ethnology, to undertake a study of the ghost dance ceremonies. His report, *The Ghost Dance Religion and the Sioux Outbreak of 1890,* was printed in the fourteenth *Annual Report of the Bureau of Ethnology* (Washington, Government Printing Office, 1896). In the introduction, Mooney lists his acknowledgments, and it is somewhat surprising to find among the large number of army officers, politicians, and Indian chiefs "Mr. Emile Berliner and the Berliner Gramophone Company, for recording, and Professors John Philip Sousa and F. W. V. Gaisberg, for arranging the Indian music." Is one to suppose from this entry that Mooney carted a gramophone machine around the Great Plains recording the chants associated with the ghost dance? This would have been possible, but quite unlikely, because the gramophone recording device was heavy and cumbrous, far different from the lightweight wax cylinder machines that other Indian experts such as Alice Fletcher and Jesse W. Fewkes were then using. Perhaps Mooney recorded the chants on cylinders and then Professors Sousa and Gaisberg, back in Washington, wrote out the tunes so that they could be printed in the *Report.* But this ignores Berliner's contribution. Also, it would not have been technically possible for Berliner to have taken a cylinder recording and reproduced it on a zinc master disc. The only logical explanation, it seems to this author, is that upon returning to Washington, Mooney himself performed the chants in the Berliner studio, and that the zincs were then given to Sousa and Gaisberg for transcribing after which they were mastered for publication. A set of the zinc masters, dated July and August 1894, is in the Library's collections, and each disc is inscribed with the name of either James Mooney or Charles Mooney. Apparently Charles accompanied his brother James on the trip and was capable of performing the chants too. We take it, then, that the singers on these recordings are not Indians but two white ethnologists. Publication of the recordings must have been the direct responsibility of Berliner, for it seems unlikely anyone else would have taken the responsibility for the issuance of recordings for which there was absolutely no public demand in the mid-1890s. American Indian music was then the private preserve of a handful of scholars.

The 1895 broadside also indicates that Berliner had been using the block numbering system for some time. Block numbering allows a company to classify its records through their catalog numbers, a system felt to be advantageous to both the company and the public. All band records, for instance, were numbered between 1 and 149, records by male singers had numbers between 150 and 199, and cornet and bugle recordings were numbered 200 through 249. As a block was filled by records, another block of numbers was opened farther ahead. The allowance of only fifty numbers for male singers proved to be not nearly enough, so the 500 to 549 block was opened. This too was filled so a larger block, 900 through 999, was set aside. This was evidently still not enough, so a very large block, 1600 through 1999, was used. Since women were used sparingly on early recordings (it was felt their voices did not record particularly well), their blocks were correspondingly small.[7] However, it is interesting to see that there was some early attempt at separating sopranos from contraltos, while there is little or no evidence of separate blocks for tenors and baritones.

Some discrepancies exist between the block system as we have reconstructed it and the records listed on the 1895 broadside. The three Indian records have numbers 50, 51, and 52, for instance, which would place them in the band block. It is thought that these were remainders from a period before the block system had been started. When the 1896 catalog supplement was printed, American Indian records were listed in the early 400s, or in the miscellaneous block. Also there are some examples of title substitution, or two record titles with the same catalog number. "Dude's March" on record 118 was later changed to "Marche Parisienne," and "Black and Tan" on record 130 was later changed to "Paraphrase Lorelei."

If the original title was not meeting with success, it is supposed that a decision was made to try a different one. However, the main reason for substitution of titles may probably be traced

## NOTES

1. "Fake Records," *Phonoscope* 2, no. 11 (November 1898): 10. The article goes on to say: "A rubber record is reproduced by the scratch of a carpet tack. . . . It sounds first like escaping steam. . . . You are next reminded of the rumbling of a horseless carriage. Finally, when the attempt to reproduce a voice is begun, you are forcibly compelled to liken the noise from the Gramophone to the braying of a wild ass."

2. Roger Burlingame, "Emile Berliner" in *Dictionary of American Biography,* 21:75.

3. "In 1880 the French government awarded its Volta Prize of 50,000 francs to Bell for his development of the telephone. With this money, he opened a laboratory in Washington, D.C., for the purpose of general research into electroacoustical fields. On May 1, 1881, he organized the Volta Laboratory Association in conjunction with a cousin, Chichester A. Bell, and Charles Sumner Tainter, a Boston scientist." From James R. Smart and Jon W. Newsom, *"A Wonderful Invention": A Brief History of the Phonograph from Tinfoil to the LP* (Washington: Library of Congress, 1977), p. 10

4. Emile Berliner, "The Development of the Talking Machine" in *Three Addresses* (privately printed, 1914).

5. P. G. Adamson, "12.5 cm Berliner discs," *Talking Machine Review International,* no. 36 (October 1975): 498–503.

6. Berliner, *Three Addresses,* p. 35.

7. The preference of male over female voices led to some oddities, such as the recording of the hit song "I'm the Belle of Avenue A" by baritone John Terrell.

8. Berliner Gramophone Co. versus Seaman, 110 F. 33 (4th cir. 1901).

9. Ibid., p. 31.

10. Ibid., p. 33.

11. In 1929 the company was purchased by the Radio Corporation of America. For many years it was known as RCA Victor, while today it continues as RCA Records.

# Armed Forces Radio Service
# The Invisible Highway Abroad

### by Samuel Brylawski

> Radio is the invisible superhighway from home to America's fighting forces overseas: a highway that the broadcasting industry has joined the Armed Forces Radio Service in building; a highway built for the speed of news, for the touchdown run of a football or the homerun of baseball; a highway bringing the sound and memory of America to its sons and daughters, providing forgetfulness to the wounded, relaxation to those tense from the fatigue of battle, filling the void of homesickness and emptiness of boredom, providing up to the minute news for the anxious, education for the ambitious, orientation on the meaning of this war for all. This then is the broadcasting industry's . . . mission.[1]

At the height of its operations during World War II, the Armed Forces Radio Service (now the American Forces Radio and Television Service) provided over fifty hours of programming a week to American troops, using both transcription discs and shortwave broadcasts of direct programming. Each month eighty-three thousand discs were shipped from the States to the AFRS transmitters located throughout the world. In 1945, forty-three programs, comprising fourteen hours of material, were produced weekly for American forces by AFRS. In addition, thirty-six hours a week of American commercial radio (with commercial messages deleted) were distributed to overseas outlets. Supplementing land-based stations (of which many were AFRS-designed 50-watt "portable" transmitters, complete in only five portable cases) were hundreds of closed circuit systems for use on ships and in hospitals.[2] The service had burgeoned to this enormous size in only two and one-half years, overcoming such obstacles as equipment shortages, a recording ban by union musicians, and bureaucratic conflicts to serve mobile armies of many theaters. Coordination between public and private enterprise at home and abroad had been swiftly developed by the staff of the Armed Forces Radio Service under the leadership of Col. Thomas H. A. Lewis.

At the time of his enlistment into the Army in early 1942 to head AFRS, Thomas Lewis was a vice-president of the Young and Rubicam advertising agency. For Young and Rubicam he developed and produced such successful radio programs as the "Kate Smith Show," the "Ab-

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Samuel Brylawski is a reference librarian in the Motion Picture, Broadcasting, and Recorded Sound Division. A radio, television, and film major in the School of Communications at Temple University, he came to the Library as a studio engineer in the Recording Laboratory, where his duties included transcribing 200 hours of "Arthur Godfrey Time" and 100 hours of "Major Bowes' Amateur Hour."

and finished programs. Often five different offices examined materials for security violations, technical quality, authenticity, and compliance with current policy, such as that on race relations. Barnouw recalls a "Human Adventure" program on atom smashing being approved at various levels before being mysteriously rejected. Following several queries as to why approval had been denied, Barnouw received an evening phone call at home ordering him to ask no more questions. The TIP also compiled "Script Kits" for AFRS stations, which assisted personnel in the production of their own informational programs.

Supplementing the AFRS transcription services during the war were several series of discs containing material for the stations to program themselves. The Basic Music Library, under the direction of composer-conductor Meredith Willson, began issuing 16-inch vinylite pressings in August 1943. By January 1946, 1,030 discs of 8,240 popular, jazz, western, and classical pieces had been sent to AFRS stations, containing recordings of music made especially for AFRS, transcriptions of music from radio programs, and copies of phonograph records. As a result of the American Federation of Musicians' strikes of 1942 and 1947, which restricted the recording of union musicians to government projects, the Basic Music Library and other AFRS uses of professional musicians are among the few sources of recordings of union musicians of these years in existence. News and sports events were also broadcast to overseas troops, directly from the United States by shortwave radio.

Today, the American Forces Radio and Television Service continues to operate under the programming philosophies conceived during World War II. Eighty hours of radio broadcast material and six hours of compilations of current commercial records are distributed weekly for broadcast over the service's 589 outlets (including 191 on board Navy ships). Weekly radio shows include talk programs such as "The Best of Groucho" and "Earth News"; the drama series "Suspense"; four hours of religious programs; and, daily, "Golden Days of Radio," which continues to entertain personnel with much the same material that AFRS carried during World War II. The bulk of programming is still music, of which the weekly shows "American Country Countdown," "American Top 40," and "American Disco" are the most listened to by American troops. The AFRTS also continues rebroadcasts of "denatured" commercial radio and television. As in the past, commercial advertisements are replaced by AFRS-produced "spots" on such subjects as consumer affairs, standards of conduct, safety, and race relations.

The weekly eighty-six hours of programs on 12-inch microgroove discs is the only AFRTS product currently being received by the Library of Congress. But AFRTS also produces automated tapes of music in stereo for FM stations and, since 1953, television broadcasts, of which they currently distribute up to eighty-two hours a week. Shortwave and satellite facilities are used to broadcast news and special events. Plans are currently under way to supersede the weekly distribution of five thousand videotapes and discs with direct feeds to stations by satellites.[6]

In the summer of 1966, jazz critic Ralph Gleason wrote a column concerning rumors of a plan to destroy approximately fifty thousand AFRTS 16-inch radio transcription discs because of space shortages in Armed Forces Network facilities in Europe. The protest from record collectors and other interested parties was strong. *Billboard, Downbeat,* and *Variety* followed Gleason's lead and carried articles on the importance of the recordings and the likelihood of their destruction. By late summer several members of Congress expressed interest in the topic and requested information from the Department of Defense, the parent organization of AFRTS. In September Sen. Robert F. Kennedy asked if the Library of Congress was interested in the recordings. The Library had been collecting AFRTS records that had been available to it since November of 1945 and had received regular shipments of selected portions of the AFRTS programs since the late 1940s and early 1950s. These included approximately four thousand 16-inch discs of educational and music programs, a fraction of AFRS and AFRTS productions since its inception in 1942.

As a result of Senator Kennedy's efforts, beginning in the late 1960s the Library began to receive what was to become a flood of transcription recordings which were no longer needed for daily broadcasting at AFRTS stations around the world. Later, as some of the stations

*Betty Hutton fries a steak for the program "Sounds of Home," while Bob Hope provides commentary. Courtesy of the U.S. Department of Defense.*

were closed down or consolidated during the 1960s and 1970s, even more recordings were transferred to the Library. In this same period, the Library was placed on the mailing list to receive copies of all transcription recordings as they were created and circulated to AFRTS stations around the world.

The Armed Forces Radio Collection at the Library of Congress provides valuable resources for the study of several facets of American culture and broadcasting. In addition to its importance as an archive of American commercial radio broadcasts (it is the Library's largest), the collection may be used to evaluate the original functions of the service as a medium for promoting troop morale during wartime. Great care was taken during World War II to furnish overseas GIs with a sense of home, not only to dispel the feelings of loneliness or displacement, but to reinforce the values of the United States for which they were fighting. The AFRS producers were very careful to present favorable images of the United States. News of internal problems such as labor strikes was avoided, and the soldiers were given the impression that the country completely supported their efforts.[7] The AFRS/AFRTS radio collections provide a fascinating study of the contrast between presentations of the unity of the American people during World War II and the relative disunity during the Vietnam War.

The rest of the world also learned about America from the AFRS programs they "over-with this one or not . . . things will never be the same around here after tonight."[8]

Recent studies of television stress the importance of analyzing the broad influences of program content. As Jack Gould maintained in 1951, "Television . . . is influencing the social and economic habits of the nation to a degree unparalleled since the advent of the automobile."[9] Historical documentation, therefore, should not be limited to broadcast journalism. A visual history of performers has a place in the Library along with a visual history of politicians, and the television collection ranges from early excerpts of "The Ed Sullivan Show" featuring Noel Coward, André Kostelanetz, and Carl Sandburg to over five hundred "Original Amateur Hour" programs.

The Aspen Program's Workshop on Television concentrated on an "intensive examination of specific programs and genres" in its discussion of *Television as a Cultural Force.*[10] Horace Newcomb's theory of meaningful television criticism is predicated on the same foundation.[11] To examine how "Television Shapes the Soul," humanist Michael Novak counsels the reader to:

*Sen. Joseph R. McCarthy (right) on NBC's "Meet the Press," October 3, 1954, with moderator Ned Brooks and panelists (from left) Richard Wilson of Cowles Publications, May Craig of the Portland, Maine* Press Herald, *John Matigan of* Newsweek, *and Lawrence E. Spivak, the producer of the series. Prints and Photographs Division, Library of Congress.*

*The Kennedy family entering the Capitol rotunda where President John F. Kennedy lay in state, November 25, 1963. The assassination was the most thoroughly covered occurrence in the history of television. Courtesy of the Architect of the Capitol.*

> keep in view the average night of programming on the major networks over the last decade or so . . . the variety shows, comedies, and adventure shows that are the staples of prime-time viewing . . . that is where the primary impact of television falls.[12]

There are growing numbers of studies of character development and plot conventions. Careful program examination has encouraged "systematic overviews"[13] of how television affects its audience through such characteristics as pace, nonlinear logic, attention regulation, simplification, and homogenization.[14] These characteristics are related to the overriding commercial allegiance of television evident in any advertisement and the often only slightly more subtle program endorsement of a homogeneous society predicated on superficial change—"the iron regime of dollars and ratings."[15]

The Library's collection, ranging from "Father Knows Best" to "Mary Hartman, Mary Hartman," Aunt Jemima commercials to "Roots," provides an enormously eclectic supply of primary source material. Priorities for future acquisition, with the aid of the Library's Exchange and Gift Division and the American Film Institute, address certain deficiencies in the collection.

Kinescopes—films of live programs taken off the television screen—are relatively scarce and therefore an acquisition priority. While the results tended to be fuzzy and to distort the image, kinescopes preserved a spontaneity of action that only existed under the urgent and sometimes chaotic demands of live production. The early 1950s ushered in the spread of direct

*Paul Picerni and Robert Stack in Desilu's "The Untouchables." Courtesy of Paramount Pictures.*

"Dr. Kildare" 23 episodes, NBC
Popular example of rise of medical drama in the 1960s.

"Duel" 90 minutes, ABC
Game of death between uncomprehending motorist (Dennis Weaver) and attacking truck. Steven Spielberg directed this telefeature (made-for-TV movie) in 1971.

"East Side/West Side" 3 episodes, CBS
In response to series content criticism, this presented a more realistic view of New York slums through the cases of a hard-boiled social worker (George C. Scott) and his assistant (Cicely Tyson). It only lasted the 1963-64 season.

"The Execution of Private Slovik" 150 minutes, NBC
1974 telefeature dramatizing events leading up to the only U.S. execution for desertion in World War II. Martin Sheen is Eddie Slovik. Directed by Lamont Johnson. Based on William Bradford Huie's book.

"Ford Star Jubilee" 1 program, CBS
"High Tor," a musical fantasy with Bing Crosby based on Maxwell Anderson's play. Telecast March 3, 1956.

"Fu Manchu: The Zayat Kiss" Pilot for NBC
Unsuccessful pilot produced by Hal Roach Studios featuring John Carradine as the ruthless villain of the title.

| | |
|---|---|
| "Gunsmoke" | 97 episodes, CBS |

Not only the longest running TV Western, but also the longest running series with continuing characters. Collection is weighted to post-1961 hour-length version with only four early half-hour programs.

| | |
|---|---|
| "Hallmark Hall of Fame" | 1 program, NBC |

"The Snow Goose" (1971) written by Paul Gallico and starring Richard Harris, provides a sample of this long-running irregularly scheduled series.

| | |
|---|---|
| "Hopalong Cassidy" | 2 episodes, Syndicated |

William Boyd's late 1940s Western.

| | |
|---|---|
| "Mission: Impossible" | 50 episodes, CBS |

Part of a 1960s vogue in adventure-spy programs which coincided with the escalating Vietnam War and disclosures concerning the CIA. Also exemplifies an increase of blacks in major roles (Greg Morris, in this case).

| | |
|---|---|
| "Playhouse 90" | 9 programs, CBS |

These are Screen Gems telefilms which were interspersed with better remembered live dramas. They include two on-location Westerns and appearances by Errol Flynn and Ann Sheridan.

| | |
|---|---|
| "Producer's Showcase" | 1 program, NBC |

Big budget mid-1950s live dramatic anthology. This single sample is Clare Boothe Luce's "The Women" with Shelley Winters and Paulette Goddard.

| | |
|---|---|
| "Twilight Zone" | 6 episodes, CBS |

Rod Serling opened this science fiction anthology with "There is a fifth dimension beyond that which is known to man . . . This is the dimension of imagination. It is an area which we call 'The Twilight Zone.' "

| | |
|---|---|
| "The Untouchables" | 32 episodes, ABC |

With its heavy doses of violence, this series brought ABC high ratings and controversy. It exemplifies an early 1960s TV crime wave.

*Andrea McCullough and Roberta Wallach at a 1940s junior prom in "The Phantom of the Open Hearth," a presentation of "Visions," December 23, 1976. Jean Shepherd based the teleplay on his book* Wanda Hickey's Night of Golden Memories, and Other Disasters. *Courtesy of PBS.*

*A meeting of the Executive Committee of the Armed Forces Radio Service in 1943. Seated at the head of the table are True Boardman (left), the first chief of the AFRS Program Production Section, and Thomas H. A. Lewis (right), the first head of the AFRS. Courtesy of True Boardman.*

bott and Costello Show," the "Aldrich Family," and "Screen Guild Theater." With Dr. Frank Gallop he founded the Audience Research Foundation, which made demographic surveys and tested audience preferences for programs and products. His programming experience, knowledge of research techniques, and Hollywood associations were considered his major qualifications to head AFRS.[3]

Before the founding of AFRS, however, several government and private programs to provide radio for troops evolved independently of each other. As early as 1940, commercial radio stations, responding to mail from service personnel abroad, began shortwave broadcasts of news, sports, and popular music for Americans overseas. After Pearl Harbor, when security regulations prohibited unauthorized shortwave broadcasting, the Coordinator of Information (forerunner of the Office of War Information) and the Coordinator of Inter-American Affairs continued shortwave broadcasts to troops and allies. Under the direction of playwright Robert E. Sherwood, COI leased time over British Broadcasting Corporation transmitters in Great Britain to air such programs as "Hi Neighbor," which later became "G.I. Jive" under AFRS. These fifteen-minute programs, issued five times a week until 1949, featured "Jill," a female disc jockey playing requests received in fan mail. Though never formally acknowledged as such, "Jill" was America's answer to "Tokyo Rose" and "Axis Sally," the enemy-originated radio personalities who combined popular music, suggestive voices, and ideology designed to subvert American troops. Without reverting to counter-propaganda, which was against AFRS policy, "Jill" provided an alternative to "Tokyo Rose" and "Axis Sally" with popular music from a "girl next door" personality.*

In 1942 the Joint Army-Navy Committee on Welfare and Recreation (JANC) received a $100,000 grant from the Carnegie Corporation. Through the United Service Organization (USO), which it had recently set up, JANC initiated a number of projects that precluded AFRS activities. Three carrier current (or closed circuit) stations were among AFRS's first stations when they were transferred to the service by the USO in May of 1942. These stations had been carrying transcribed programs donated by U.S. radio networks, which became AFRS's chief source of programs. This reuse of commercial programs required not only the cooperation of radio networks and transcription companies but the concession of rights of entertainers, sponsors, advertising agencies, musicians, copyright claimants, and publishers—a privilege AFRTS still enjoys. Another harbinger of AFRS activities was the JANC-Carnegie venture which provided "Buddy Kits" to American installations throughout the world. The "Buddy Kit" contained, in one compact unit, a 12-watt AC/DC radio receiver, a 78 rpm and 33⅓ rpm phonograph, with both acoustic and electric pickups, a public address system, and, in the extra space, harmonicas and comic books. For the "Buddy Kit," phonograph records and transcriptions of commercial radio programs on 12-inch vinylite discs were distributed. The vinylite record, now an industry standard, had received only limited use before the "Buddy Kit" program and the subsequent distribution of 16-inch vinylite pressings by AFRS.

Independent of any private or public plan, personnel of Fort Greely, Kodiak, Alaska, salvaged abandoned Signal Corps equipment to build the first Army-owned broadcasting station in December of 1941. The Army learned of the station only after requests to Hollywood for program material were made known to the War Department in Washington. In Kodiak, where shortwave broadcasts could not be received, troops wrote, acted, and produced their own programs and played donated phonograph records. Once Kodiak's own programming had been supplemented by transcriptions of commercial radio programs, the prototype AFRS station was complete. Within three years, AFRS would be responsible for 160 transmitters, including a 400-watt mobile station on a one and one-half ton truck to follow Gen. Mark Clark's Fifth Army.

Yet another forerunner to AFRS was the Army's Bureau of Public Relations, which began what was to become the most prestigious AFRS program, "Command Performance," which presented America's best-known radio and movie talent in a weekly one-hour program. Originally, the bookings for the show supposedly reflected the wishes of American soldiers, hence, a performance "on command." The program premiered from New York City on March 1, 1942, and starred Eddie Cantor. The Radio Division of the Bureau of Public Relations produced forty-four "Command Performance" programs before responsibility for the show was given to AFRS. Six programs originated in New York, after which the program moved to Hollywood to exploit the resources of talent available in the West. "Command Performance" transcriptions were edited from various "takes" in order to facilitate the time requirements of the finished show and to allow for the deletion of off-color jokes or timely material. It was thought that references to current events might not be understood once "Command Performance" transcriptions made their way overseas. Theodore DeLay believes that the editing techniques mastered by the engineers and producers of "Command Performance" greatly influenced the Hollywood talent which had been forbidden from prerecording their programs by the commercial networks. At that time, a few music transcription discs were the only prerecorded material broadcast by the networks. It was Bing Crosby's experience on "Command Performance," argues DeLay, that led to his American Broadcasting Company program in 1946, the first transcribed network program.[4] Following Crosby's lead, the transcribed show, which allowed programs to be recorded and assembled leisurely, with the best of many takes used, became the norm. The AFRS continued to produce "Command Performance" from specially recorded segments until its 415th show in 1949, after which it was produced solely from excerpts of earlier shows.

Independently of the Bureau of Public Relaheard." Despite the official prohibition against propaganda in AFRS programs, foreigners could not help but draw inferences about our way of life from AFRS entertainment and informational programs. During World War II acknowledged American propaganda was broadcast by the Office of War Information (OWI) and the American Broadcasting Stations in Europe (ABSIE) program under General Eisenhower's Supreme Headquarters of the Allied Expeditionary Forces.** AFRS programs about American political processes or our foreign policy were most likely heard by foreigners in the same light as the officially sanctioned propaganda. One can also imagine not a few foreigners drawing impressions about the typical American family from such AFRS-carried shows as "Beulah," "Life with Riley," or "Father Knows Best."

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*"Axis Sally" may be heard in the Motion Picture, Broadcasting, and Recorded Sound Division on tape 4661.

AFRS programming was particularly influencial in Great Britain. H.H. Wilson, in *Pressure Group*, a study of the birth of commercial broadcasting in Britain, says:

> British soldiers and civilians alike enjoyed the more relaxed, informal atmosphere of American-style broadcasting and found the entertainment more sprightly than that of prewar BBC.[8]

Apparently, American radio made a lasting impression on the British. Before World War II, the British Broadcasting Corporation consisted of two radio schedules, a National Service and a Regional Service. With the outbreak of World War II, the Regional Service was restructured into the General Forces Programme, a lighter schedule with programs directed toward the British soldier. At the end of the war, responding to the popularity of the less formal programs of the General Forces Programme, the BBC restructured their radio services into the Home Service and the Light Programme, a consolidation of the more popular features of its General Forces Programme and the type of radio heard over AFRS.

America, too, felt the influence of AFRS after World War II. Though AFRS may not have been directly responsible for the change by American radio networks from only "live" programs to primarily prerecorded programs, as DeLay claims, it had proven that editing of programs and broadcasting from discs could be performed with high technical quality. The stringent technical standards of AFRS producers and engineers proved the success and convenience not only of editing but of a variety of other technical innovations still used today in the pressing of vinylite discs and in their packaging for shipment.

Today the Library holds over 170,000 AFRTS recordings. Until recently, however, neither the shelf space nor staff was available to place these valuable materials in accessible shelf order. In the summer of 1979 additional shelf space and personnel enabled all of the 16-inch recordings and the vast majority of 12-inch recordings to be placed in shelf sequence order by AFRTS label number and an index of 16-inch recordings to be compiled.

The AFRTS recordings at the Library of Congress are available to scholars and researchers for listening only, although duplication of the recordings will be performed by the Library's Recording Laboratory if all proprietary right-holder's permissions are obtained in advance. Some of those known to have proprietary claim in AFRTS recordings are the American Federation of Musicians; the American Federation of Television and Radio Artists; the American Society of Composers, Authors, and Publishers; Broadcast Music, Inc.; the National Music Publishers Association, Inc.; the Society of European Stage Authors and Composers, Inc.; and specific individuals and firms holding copyright and proprietary rights in the underlying materials and the performance rights of the individuals involved.

The following list represents approximately 15 percent of the show titles held by the Library on 16-inch discs, the medium used by AFRTS to transcribe programs until 1959, when they switched to 12-inch discs. Titles have been selected to indicate the variety of AFRS/AFRTS programs, with particular emphasis given to programs the Library holds in substantial quantities. A complete list of show titles in the 16-inch transcription AFRTS collection is available in the Motion Picture, Broadcasting, and Recorded Sound Division.

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**OWI recordings may be heard in the Motion Picture, Broadcasting, and Recorded Sound Division on tape projects 5554, 6087, and 5833; ABSIE recordings on tape project 9323.

## NOTES

Until the summer of 1979 the Library of Congress American Forces Radio and Television collection of approximately one hundred twenty-six thousand 12-inch discs and forty-five thousand 16-inch discs was stored primarily in crates at the Library's Landover, Maryland annex—virtually unserviceable. The author is extremely grateful for the work performed by the Motion Picture, Broadcasting, and Recorded Sound Division Curatorial Section staff under the direction of section head Gerald D. Gibson in organizing and indexing the AFRTS collection, thus making it available for study for the first time. This valuable task was performed by group leader Edwin Matthias and Amy Dunkleberger, Robert Dwyer, Cooper Graham, Elliott Johnson, Patrick Loughney, Scott Simmon, Michael Turpin, and John Verrier.

1. Armed Forces Radio Disc H-9-88
2. Ibid.
3. Unless otherwise noted, AFRS historical and statistical information here has been obtained from Theodore Stuart DeLay, Jr., *"An Historical Study of the Armed Forces Radio Service to 1946."* (Ph.D. diss., University of Southern California, 1951) and *"An Historical Study of the Radio Series 'Command Performance,'"* (unpublished paper, 1950).
4. DeLay, pp. 68–78.
5. Erik Barnouw, *The Golden Web: A History of Broadcasting in the United States,* vol. 2, *1933–1953* (New York: Oxford University Press, 1968), p. 193.
6. Jack Brown, "A-Z of Armed Forces Radio-TV: Adak to Zaragoza," *Daily Variety* (October 30, 1979): 182–84, 216.
7. Erik Barnouw, "Radio Programs for Troop Education," *Educational Outlook* (March 1945): 107–14.
8. H. H. Wilson, *Pressure Group: the Campaign for Commercial Television in England* (New Brunswick, Rutgers University Press, 1961), p. 22.

### Selected Programs in the AFRS Collection

AFRTS assigned at least one letter or letter-number category (such as END 222 or SS, etc.) to each series, which is printed on the record labels. This alphameric code is used by the Library of Congress for shelf order. When a disc includes more than a single show title (as is usually the case), it is filed by the lowest number on that disc. Where a show can be located under the AFRTS letter-number assigned to it, the number is in italics on the list (for example, "Swingtime" was assigned *H 52*). Where indexed shows are located on flip-sides of the shows used for filing purposes, they are *not* in italics ("Swingtime" can *also* be found within H 51). The discs in the "SS" category are filed alphabetically by show title. Following the shelf number for each program, in parentheses, is an indication of run of programs of that title in the Library's collections: most of the programs, about half, or only a few.

"Academy of Music"
*H 88* (1-57, most)
Alfred Wallenstein conducting the Los Angeles Philharmonic Symphony Orchestra. Half-hour programs.

"Adventures in Research"
*IED 214* (1-213, most)
Half-hour dramas portraying significant scientific discoveries.

"America's Popular Music"
END 178 (292-293); END 390 (36-419, half); IED 138 (205-227); IED 325 (22-33, most); IED 379 (6-18, few)
Popular recordings with artist profiles by host Andy Mansfield.

"Angelus"
*H 86* (1-65, most); *IED 86* (66-176, most)
Half-hour of religious organ and choir music "dedicated to the brotherhood of man."

"Army Hour"
IED 79 (1-71); IED 364 (199-357, few); IED 379 (132); IED 497 (72-197, most)
Talk, humor, and music by U. S. Army talent stationed around the world.

"Art Baker's Notebook"
END 347 (1-222, most); *IE 98* (1-52, half); *IED 382* (223-689, few)
Five minute informative talks on diverse topics.

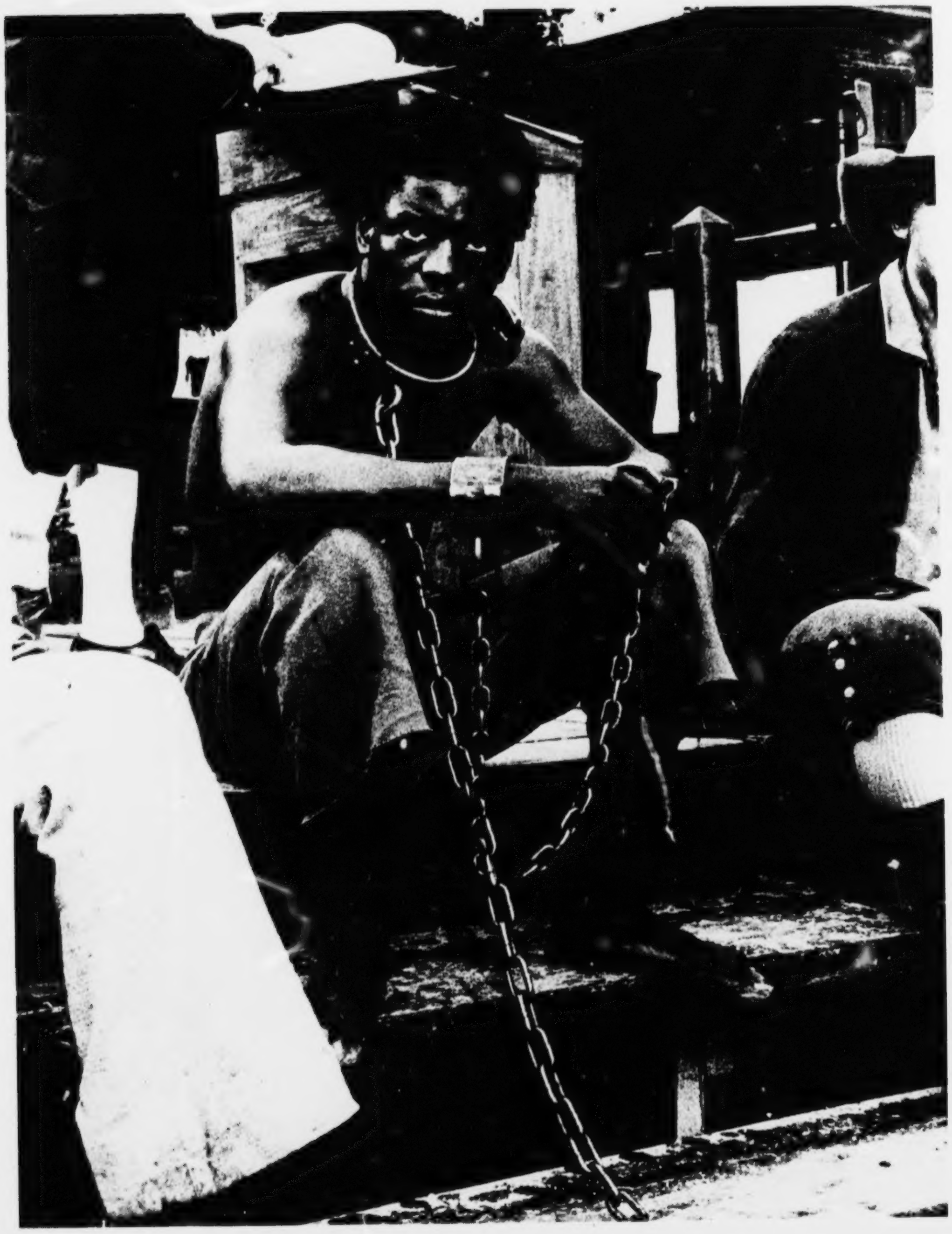
"Arthur Godfrey"
END 135 (30-967, c. 500 discs)
Half-hour rebroadcast of the "Talent Scouts" program.

"At Ease"
EN 12 (955-1075) *END 28* (973-2802, most); H 28 (12-2123, c. half)
"Music to read or dream by." An early AFRS program; fifteen minutes.

"Atomic Age Answers"
END 625 (1-22)
Thirty-minute science program produced in association with the California Institute of Technology.

*"60 Minutes" coeditors Mike Wallace, Dan Rather, Harry Reasoner, and Morley Safer. Courtesy of CBS News Photo.*

*Robert Young surrounded by his "Father Knows Best" television family, Billy Gray, Elinor Donahue, Jane Wyatt, and Lauren Chapin. Copyright © 1978 by Columbia Pictures Industries, Inc. Courtesy of Columbia Pictures Television.*

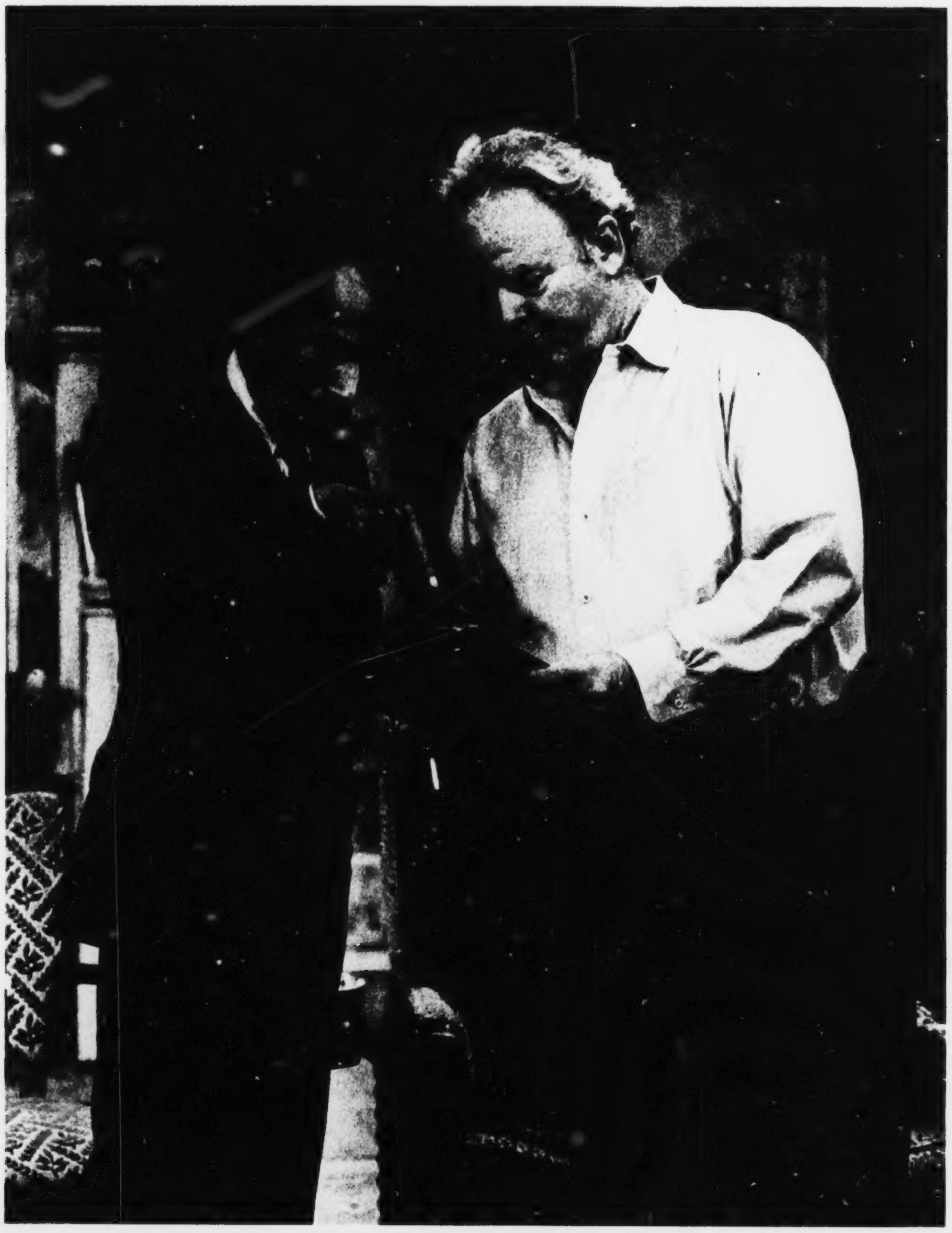


*LeVar Burton in "Roots," telecast January 23-30, 1977. A Wolper Production of Warner Brothers Television. Courtesy of* Broadcasting Magazine.

coast-to-coast transmission and the use of film in entertainment series production. The late 1950s brought videotape. Live programming declined markedly and kinescopes became obsolete. Lacking commercial value, many have been mislaid.

The collection currently includes a sizable representation of kinescoped special events and public affairs programs but has only a few samples of live television dramas. They were produced in New York, not Hollywood, and derived from the theater in their casts and staging. The exigencies of a live telecast—much like the exigencies of a live theatrical performance—demanded a minimum of scene and costume changes, and a pacing established by the script and performers. However, the telecast, unlike the stage, was further restricted by small screen size and rigid time constraints.

"The Remarkable Incident at Carson Corners" in the "Studio One" series most closely fits this paradigm. Telecast in 1954, it was Reginald Rose's first hour-length original television drama, predating his highly acclaimed "Twelve



*Sherman Hemsley and Carroll O'Connor on "All in the Family." Hemsley later starred in the spin-off series "The Jeffersons." Courtesy of Tandem Productions.*

"Visions" 1 program, PBS

Jean Shepherd's "The Phantom of the Open Hearth" (1976) is the one sample of these TV dramas by American writers.

"Westinghouse Studio One Summer Theatre."
2 programs, CBS

Donated by their director Marcella Cisney, the 1953 kinescopes feature Eva Marie Saint and Betsy Palmer.

"You Are There" 67 programs, CBS

Broadcast techniques interpose on historical reenactments in this mid-1950s series and its 1971-72 revival.

"Your Show Time" 20 programs, NBC

Earliest filmed anthology in collection garnered the first Emmy for Best Film for Television with its January 1949 premiere of "The Diamond Necklace," based on a Guy de Maupassant story.

## Comedy

"All in the Family" 88 episodes, CBS

The first of the gutsy, socially conscious, highly popular domestic comedies developed by Norman Lear.

“The Amos ‘n’ Andy Show” 58 episodes, CBS

When the series went from radio to television in the early 1950s, the cast went from white to black, featuring Alvin Childress, Spencer Williams, and Tom Moore. Black organizations objected to its stereotyping, and it went off the network and into syndication in 1953.

“A Charlie Brown Thanksgiving” 30 minutes, CBS

Charles M. Schulz “Peanuts” characters in one of several animated specials.

“The Dick Van Dyke Show” 22 episodes, CBS

A heartwarming, witty, successful domestic comedy of the 1960s, an era when more outrageous comic premises, such as hillbillies in Beverly Hills found wide audiences.

“The Flintstones” 2 episodes, ABC

Longest-running prime-time animated series, appealed to adults as well as children in its stone age version of “The Honeymooners.”

“Happy Days” 39 episodes, ABC

Garry Marshall shepherded this highly successful, nostalgic view of youth in the 1950s.

“I Dream of Jeannie” 61 episodes, NBC

One of several popular 1960s fantasy-comedies which focused on the havoc created by an exotic being placed in a staid middle-class environment.

“The Jack Benny Television Show” 7 episodes, CBS

Part of the successful talent raid by CBS on NBC radio stars. While the series debuted in 1950, the collection’s earliest program is from 1956. Ten other later episodes are titled “The Jack Benny Program.”

“The Jeffersons” 37 episodes, CBS

One of several popular “All in the Family” spin-offs. Features a black middle-class version of Archie Bunker.

“Kukla, Fran, and Ollie” 1 episode, NBC

Early puppet show which became a classic due to its endearing characters created by Burr Tillstrom and their spontaneous interaction with Fran Allison.

“The Lucy Show” 14 episodes, CBS

Lucille Ball’s second comedy series enjoyed a long 1960s run. Ball was cast as a widow with two children, a close friend (Vivian Vance), and a boss (Gale Gordon).

“M*A*S*H” 11 episodes, CBS

Set in a field hospital in Korea, this comedy-drama premiered in 1972 and reflected anti-war attitudes concerning U.S. involvement in Vietnam.

“McHale’s Navy” 5 episodes, ABC

As in most 1960s military comedies, a stuffy representation of the military was a focal point for humor, but war and the U.S. role in it were never challenged in the straightforward World War II setting.

“The Odd Couple” 34 episodes, ABC

Another successful 1970s series from Garry Marshall, this one based on characters created by Neil Simon.

“The Smothers Brothers Show” 3 episodes, CBS

Short-lived (1965-66) fantasy-comedy with Tom Smothers as a bumbling apprentice angel, preceded the Smothers Brothers’ highly successful, controversial, but also fairly short-lived variety series.

“Three’s Company” 6 episodes, ABC

A prime example of the rise of sexually-oriented humor in late 1970s TV. Caused some controversy.

## Variety

“All Star Revue” 1 program, NBC

Telecast April 19, 1952, it features Jimmy Durante, the series most durable rotating host, and guest Bette Davis, who donated the program to the Library.

“The Carol Burnett Show” 26 programs, CBS

Long-running comedy-variety series (1967-78) in an era when others like it dwindled.

“The Dinah Shore Chevy Show” 2 programs, NBC

Featured big budgets, sophisticated camerawork, and special guests. Art Carney, Burl Ives, Louis Jordan, and Gwen Verdon appear in a 1958 program donated by Ives.

“Disneyland” 19 programs, ABC

Walt Disney’s first series for television and a major boon to fledgling ABC. Variety series in a broad sense, includes adventure, science, fantasy, and animation. Further programs under later titles “Walt Disney Presents” and “Walt Disney’s Wonderful World of Color.”

“Home Show” 2 excerpts, NBC

Talk show hostess Arlene Francis interviews James Michener, Josh Logan, and Catherine Marshall in 1956.

“The Merv Griffin Show” 1 program, CBS

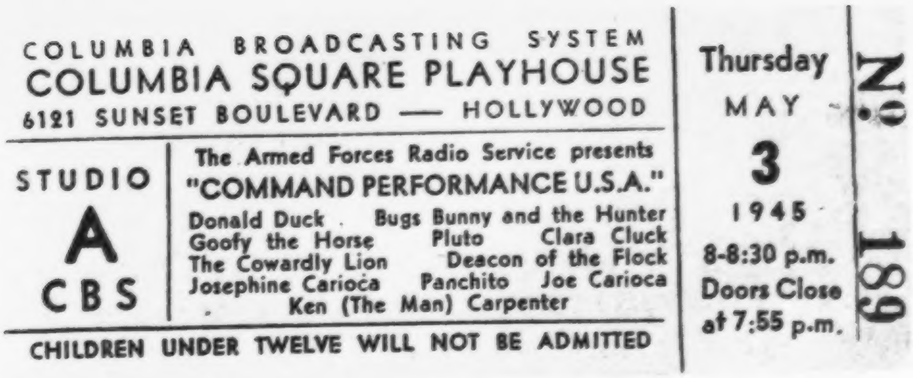
“A Salute to the Silent Screen” presented December 16, 1970, with many guests, including Lillian Gish and Jackie Coogan, and film clips.

“Omnibus” 4 programs, CBS

A live cultural miscellany from the 1950s. The Library’s samples illustrate this with three programs on the Constitution and Peter Brook’s seventy-three minute production of “King Lear,” with Orson Welles in his television debut.

*Betty Grable and June Haver review their music as AFRS personnel look on. At right is Daniel House, founder of the first official AFRS station, in Kodiak, Alaska. Courtesy of Dorothy McAdam, American Forces Radio and Television Service.*

*Edgar Bergen and Ingrid Bergman play straight man and woman to slow-witted dummy Mortimer Snerd for an AFRS "Command Performance" program. Courtesy of the U.S. Department of Defense.*



COLUMBIA BROADCASTING SYSTEM
COLUMBIA SQUARE PLAYHOUSE
6121 SUNSET BOULEVARD — HOLLYWOOD

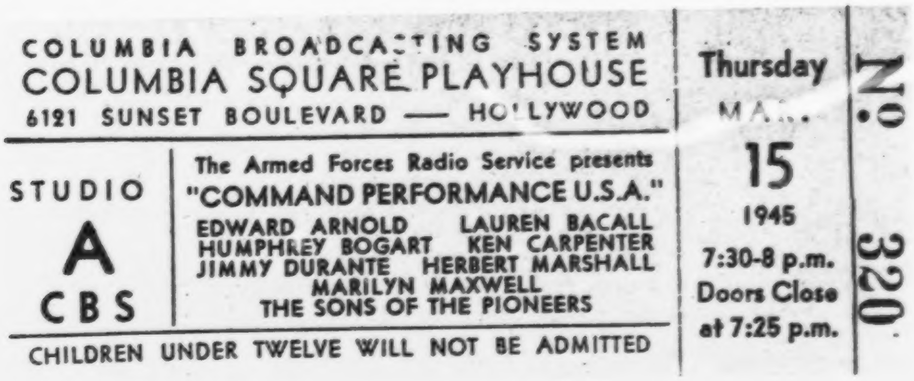
STUDIO
A
CBS

The Armed Forces Radio Service presents
"COMMAND PERFORMANCE U.S.A."
Donald Duck · Bugs Bunny and the Hunter
Goofy the Horse · Pluto · Clara Cluck
The Cowardly Lion · Deacon of the Flock
Josephine Carioca · Panchito · Joe Carioca
Ken (The Man) Carpenter

CHILDREN UNDER TWELVE WILL NOT BE ADMITTED

Thursday
MAY
3
1945
8-8:30 p.m.
Doors Close
at 7:55 p.m.

Nº 189



COLUMBIA BROADCASTING SYSTEM
COLUMBIA SQUARE PLAYHOUSE
6121 SUNSET BOULEVARD — HOLLYWOOD

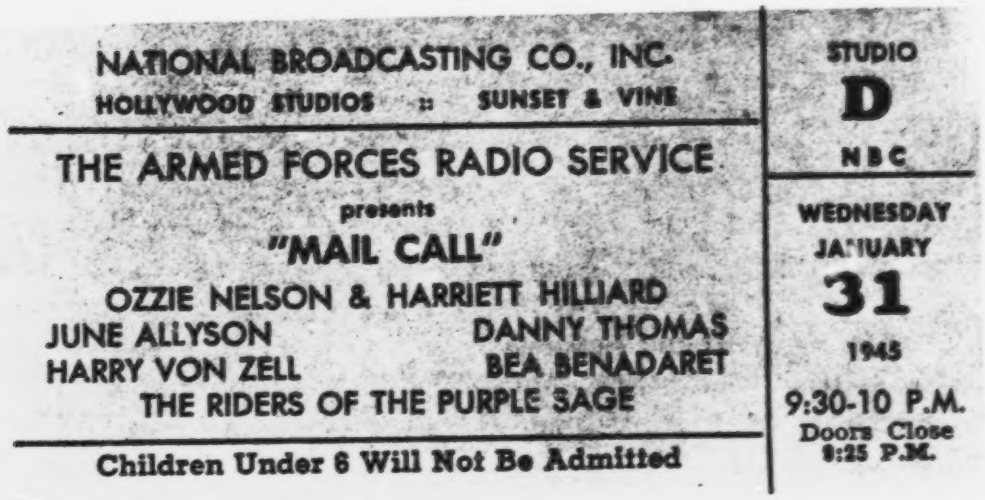
STUDIO
A
CBS

The Armed Forces Radio Service presents
"COMMAND PERFORMANCE U.S.A."
EDWARD ARNOLD · LAUREN BACALL
HUMPHREY BOGART · KEN CARPENTER
JIMMY DURANTE · HERBERT MARSHALL
MARILYN MAXWELL
THE SONS OF THE PIONEERS

CHILDREN UNDER TWELVE WILL NOT BE ADMITTED

Thursday
MAY
15
1945
7:30-8 p.m.
Doors Close
at 7:25 p.m.

Nº 320



NATIONAL BROADCASTING CO., INC.
HOLLYWOOD STUDIOS :: SUNSET & VINE

THE ARMED FORCES RADIO SERVICE
presents
"MAIL CALL"
OZZIE NELSON & HARRIETT HILLIARD
JUNE ALLYSON · DANNY THOMAS
HARRY VON ZELL · BEA BENADARET
THE RIDERS OF THE PURPLE SAGE

Children Under 6 Will Not Be Admitted

STUDIO
D
NBC

WEDNESDAY
JANUARY
31
1945
9:30-10 P.M.
Doors Close
9:25 P.M.

*The radio networks generously donated their facilities to Armed Forces Radio Service productions. As these tickets to the recording sessions show, children were barred from the studios despite the featuring of performers such as Donald Duck, Bugs Bunny, and Goofy the Horse. Courtesy of Dorothy McAdam, American Forces Radio and Television Service*

tions's editing of "Command Performance" shows, AFRS discovered the usefulness of trimming programs to its needs. In September of 1942, producer True Boardman compiled a transcription of a Washington Redskins football game by recording the commercial broadcast and condensing it into a half-hour program for broadcast over the service. Broadcasts from edited transcriptions soon became standard procedure for AFRS.

After Thomas Lewis was appointed to head the AFRS, surveys were made of American troops to determine their listening habits and preferences. To facilitate AFRS production, many of radio's most talented producers and writers were enlisted, voluntarily and by induction. Because so many of these recruits were Lewis's associates at Young and Rubicam, AFRS was often nicknamed the "Y and Rmy." The first Program Production Section chief was True E.

"Bandstand USA"
END 537 (2-21, few); *END 585* (24-128, c. half)
Jazz, recorded "live" in hotels and clubs throughout the United States.

"Behind The Story"
*IED 172* (274-1560, most)
Marvin Miller recounting vignettes of world history.

"Beulah"
*END 147* (1-124, most)
Rebroadcast of the fifteen-minute situation comedy of the Henderson Family.

"Bing Crosby"
END 28 (536-606, few); *END 44* (201-806, most); END 352 (592, 617) *R 44* (144-202, most); SS (1-111, few)
Rebroadcast of Crosby's half-hour variety program of the late 1940s and early 1950s.

"Bob and Ray"
END 114 (166-201, few); END 244 (61, 81, 96, 121); *END 260* (104-882, few).
Rebroadcast of the fifteen-minute program of the NBC comedy duo.

"Bob Hope"
*END 45* (322-424, most)
Rebroadcast of the variety program, featuring guest stars.

"Books and Voices"
IED 497 (1-15)
Twenty-five-minute book review program, often with interviews of the authors.

"Boston Symphony"
END 390 (60-89, most); *IED 456* (1-59, most)

"Broadway Is My Beat"
END 18 (1-46, most); *END 308* (47-62, most)
The CBS half-hour mystery program with Larry Thor as detective Danny Clover.

"Bud's Bandwagon"
EN 315 (1-655, most); *END 315* (304-425, few)
Thirty-minute AFRS-produced program with Bud Widom playing records and interviewing entertainment personalities.

"Cabbages and Kings"
EN 144 (37-198)
"Your private tour into a world of unusual projects and personalities," with "the Professor of Common Sense and the Doctor of Interesting Information." Five-minute programs.

"Call Me Freedom"
IED 290 (1-27)
Half-hour program "dramatizing the ideals upheld and protected by our heritage."

"Carolina Cotton Calls"
EN 243 (few); *EN 293* (few)
Western music featuring singer Carolina Cotton.

"CBS Radio Workshop"
IED 508 (1-83)
Twenty-five-minute radio dramas.

"Charlie McCarthy"
END 23 (285-453)
Comedy, with guests.

"Chiquita"
*H 60* and *H 63* (274-605, most)
Latin-American music recordings played by disc-jockey "Chiquita."

"Command Performance"
*EN 18* (446, 484); H 9 (125, 126, 137, 145, 146); *H 18* (1-347, most)
AFR's "prestige" variety program.

"Concert Hall"
*IE 33* (265-289); *H 33* (3-264, most)
Half-hour weekly program of concert music, often hosted by Lionel Barrymore.

"Conversation"
IED 290 (1-75, most)
Humanities discussions with host Clifton Fadiman and guest authors and scholars.

"Could This Be You?"
IED 290 (90-245, most); IED 508 (1-89)
Twenty-five-minutes of interviews with traffic violators.

"The C. P. MacGregor Show"
*END 528* (1-124, most)
Twenty-five-minute dramas.

"The Couple Next Door"
END 147 (505, 510); END 430 (15-115, few); *END 613* (21-584, most); *END 696* (1-24)
Fifteen-minute serial.

"Do You Know?"
IED 364 (69-103, most); IED 463 (1-6, most); IED 518 (23-26)
CBS's informal half-hour educational programs hosted by Lyman Bryson.

"Don MacNeil's Breakfast Club"

END 361 (6); *END 432* (7-1504, c. half); END 428 (70, 105, 140)

Half-hour morning program of music and talk.

"Downbeat"

*H 7* (2-437, most)

Interviews and music.

"Eddie Cantor"

END 74 (31-40, few); END 253 (43-125, most)

Half-hour NBC program of comedy, music, reminiscenses, and guest stars.

"Eventide"

IED 172 (10-127, most); IED 364 (69-103, most); IED 460 (128-159); IED 463 (1-9)

Fifteen-minute inspiration talks.

"FBI in Peace and War"

END 134 (170-218, few); *END 160* (221-418, most)

Twenty-five-minute drama originally broadcast over CBS.

"Family Theatre"

*END 34* (121-652, most)

Half-hour family stories from the Mutual network.

"Fibber McGee and Molly"

*END 46* (1-843, c. half)

Twenty-five-minute situation comedy.

"Frank Sinatra"

SS (1-75)

Half-hour "Songs by Sinatra" program from the mid-1940s with Axel Stordahl and orchestra.

"GI Jive"

*EN 12* (2225-2349, most); *H 12* (409-2235, most); SS (236-406, few)

"The AEF Juke Box of the Air" presented by *Yanks*, the Army Weekly. Fifteen-minutes of requested jazz recordings introduced by guest musicians, broadcast five times a week.

"Grand Ol' Opry"

END 17 (474-500, most); *END 18* (80-656, most); *R 18* (15-74) SS (1-14, most)

Twenty-five-minute rebroadcast of the "live" country-western music concert.

"Great Gildersleeve"

END 88 (1-70, most); *END 115* (238-555, few); SS (90)

Rebroadcast of the thirty-minute spin-off series from "Fibber McGee and Molly."

"Groucho Marx"

END 34 (429-551, most); END 45 (407-424, few); *END 140* (175-404, most)

Rebroadcast of the "You Bet Your Life" comedy-quiz program; twenty-five-minute program.

"Gunsmoke"

END 2 (184-243); END 44 (131-183); END 205 (71-96, c. half); END 308 (17, 24); *END 338* (29-338, c. half)

Rebroadcast of the CBS "adult western"; twenty-five-minute programs.

"Hawaii Calls"

END 34 (108-189, c. half); END 168 (265-336, most); END 373 (2-31, few) *END 393* (39-264, few)

Rebroadcast of the thirty-minute music program.

"Heard at Home"

*H 55* (4-429, most); *IED 55* (227-504, c. half)

'Discussions and speeches from various commercial broadcasts.

"Hollywood Bowl"

*IE 14* (124-160, most); *H 38* (1-83, most)

"Live" concerts from the Los Angeles amphitheater.

"Hotel For Pets"

END 486 (1-111, c. half)

Ten-minute children's serial about a home for stray pets run by Mr. Jolly (Frank McHugh).

"Hymns From Home"

*END 22* (668-770, most); *H 22* (333, 334, 501-667)

Fifteen-minute program of religious music.

"Invitation to Learning"

IED 217 (1-13); IED 271 (14-48); IED 290 (49-428, most)

Prof. Lyman Bryson chairing discussions on a wide variety of educational topics.

"Jill's All Time Juke Box"

EN 46 (238-254); *H 46* (5-237, most)

AFRS's "Jill" plays all time hit records; fifteen-minute weekly program.

"Johnny Dollar"

EN 242 (94-218); EN 329 (341-399, most); EN 34 (460-463); END 242 (78, 103, 153, 193); END 339 (3-73, most); *END 458* (74-458, few); IED 138 (459)

Rebroadcast of the insurance investigator drama; twenty-five-minutes.

"A Joy Forever"

IE 350 (1-48, most); IED 79 (101-104); IED 172 (72-846, c. half); END 389 (105-505, few); IED 364 (671-841, c. half)

AFRS station sign-off program of poetry and music.

*O. Z. Whitehead leans forward, with his attention on Susan Hallaran, in Reginald Rose's "The Remarkable Incident at Carson Corners," telecast on Westinghouse's "Studio One," January 11, 1954. Courtesy of CBS.*

Angry Men" by nine months. This depiction of a community's shared negligence in the death of a child reached the collection in an unusual manner. Its kinescope was received through copyright deposit, a rarity for an originally live telecast.

Filmed programs from the 1950s, though not as rare as kinescopes, also constitute an acquisition priority. Although the programs were frequently copyrighted, acquisition policies at the time were narrow, and many programs, particularly in the entertainment sphere, were not selected for deposit in the collection. This accounts for the low representation of such popular early situation comedies as "I Love Lucy" (five episodes) and "The George Burns and Gracie Allen Show" (three episodes). A significant contribution from Columbia-Screen Gems consists of original negatives from the series "Naked City" and "The Ed Wynn Show," with others to follow. Further, the Library recently received twenty-five episodes of the early 1950s situation comedy "The Abbott and Costello Show" through the auspices of the American Film Institute.

The abundant filmed entertainment series of Ziv Television Programs, Inc., came to the collection in 1977 through belated copyright deposit. These products of the largest independent telefilm syndicator of the 1950s were characterized by a heavy reliance on formula and by high ratings, generally credited to Frederick W. Ziv's dynamic marketing techniques.[16] His most popular series included "Highway Patrol," "Sea Hunt," and "I Led 3 Lives." While any are worthy of study as products of this society, "I Led 3 Lives" most blatantly appealed to McCarthy Era and Cold War fears. Each week, "Citizen, 'Communist,' Counterspy for the FBI" Herbert A. Philbrick was pitted against dastardly cells of domestic Communists. It was the first television series officially sanctioned by the FBI.[17]

Certain program types have only cursory representation in the collection—quiz shows and soap operas are clearly in this category. Gilbert Seldes's description of quiz shows in 1954 is applicable to both categories: "the most cordially detested, the most publicly denounced, and among the most popular of all TV programs."[18] Studies of the social and cultural influences of television should not ignore the popularity, durability, and idiosyncrasies of these two genres. A representative sample of these programs, therefore, is an acquisition priority.

The new copyright law strengthens the acquisition arm of the Library of Congress through copyright compliance initiatives and limited off-air videotaping. One compliance encouragement empowers the Library to request recent programs bearing copyright notices but not formally registered. Off-air videotaping is in the pilot stages. In October 1979, the Motion

*Richard Carlson (right) attends a Communist cell meeting with (from left to right) Robert Anderson, Jeanne Cooper, Gregory Walcott, John Frank, and Emerson Treacy, in a pilot for the syndicated Ziv series "I Led 3 Lives," telecast in September 1953. Courtesy of the Wisconsin Center for Film and Theater Research.*

*Carol Burnett (center) with regulars Harvey Korman and Vicki Lawrence on "The Carol Burnett Show." Courtesy of ICPR.*

"The Sid Caesar, Imogene Coca,
Carl Reiner, Howard Morris Special" 60 minutes, CBS

This 1967 reunion and the theatrical release *Ten from Your Show of Shows* provide the collection's only remembrances of the early zany comedy-variety series.

"The Tonight Show" 23 minute excerpt, NBC

Guest Groucho Marx reads a letter from L. Quincy Mumford, then Librarian of Congress, in this excerpt from the long-running late-night talk show.

## Sports

"The Big Fights of the Decades"
103 programs, Syndicated

Ten-minute highlights of many championship bouts.

"Billie Jean King's Tennis for Everyone"
13 programs, Syndicated

Instruction through filmed practice sessions.

"Championship Bowling" 9 programs, Syndicated

"The Olympic Champions and Challengers"
60 minutes, ABC

Telly Savalas interviews U.S. and Soviet athletes. Telecast April 17, 1976.

"Once Before I Die" 60 minutes, NBC

A *Sports Illustrated* production, telecast May 5, 1970, which follows American mountain climbers in Afghanistan.

"Shell's Wonderful World of Golf"
21 programs, CBS, NBC

Exhibition matches around the world. Gene Sarazen hosts the hour-long segments.

"Shop Talk" 47 programs, Syndicated

Later titled "Outdoor Talk" and "Outdoor Shop Talk." Prepared by the Iowa State Conservation Commission. Focuses on conservation, fishing, and hunting.

## Quiz

"Do You Trust Your Wife?" 1 program, CBS

January 3, 1956, premiere of a prime-time game show hosted by ventriloquist Edgar Bergen and his assorted dummies. In less than two years it moved to a daytime slot with Johnny Carson and the better known title, "Who Do You Trust?"

"Movie Quick Quiz" 4 programs, Syndicated

Claiming the highest ratings of any syndicated quiz show in 1952, this featured amateurish film clips as clues.

"Tell It To Groucho" 1 program, CBS

Groucho's zany filmed interviews provided a brief successor to his long-running NBC series "You Bet Your Life."

"To Tell the Truth" 1 program, Syndicated

Mark Goodson-Bill Todman Production. This 1969 version, hosted by Garry Moore, is the collection's most recent quiz show.

## Commercials

[Alka Seltzer] 1 commercial

The popular stomach montage.

[Democratic National Committee of 1964.] 2 political spots.

The more famous of these political spots moves swiftly from a little girl picking daisy petals to a nuclear blast and brief dramatic statement by Lyndon Johnson. In the other, a pregnant woman and her young daughter frolic accompanied by a voice-over expressing support of the nuclear test ban treaty. Both spots intimate Barry Goldwater's nuclear weapon stance is irresponsible without mentioning him.

[Eshbaugh Television Commercial Sampler] 12 commercials

Ads from Ted Eshbaugh Studios, including Aunt Jemima Devil's Food Cake Ready Mix, Hinds Hand Cream, Camel Cigarettes, Chase and Sanborn Coffee, White Rock Sparkling Water, and screen tests of women smoking.

[U.S. Television Commercials Festival] 100+ commercials

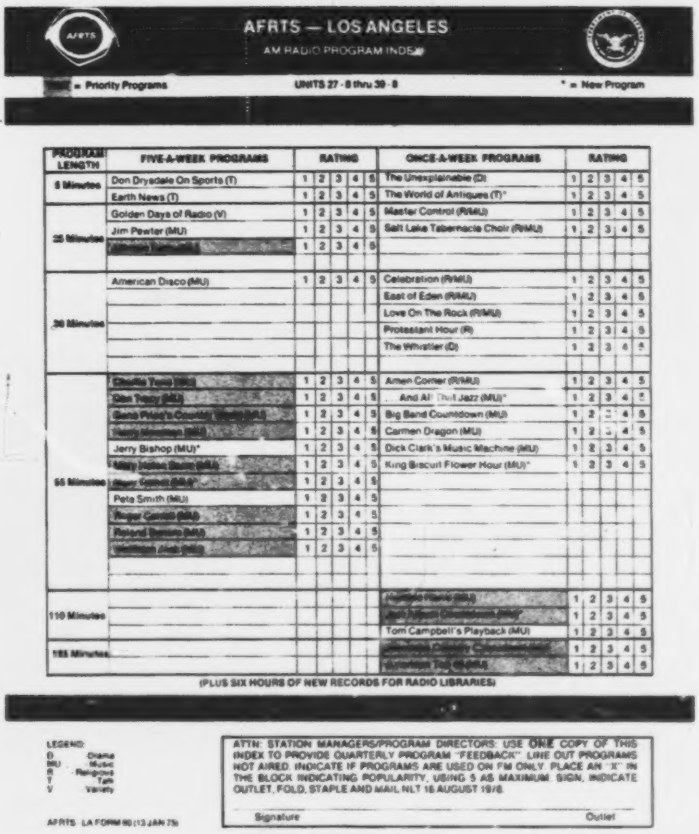
Award winners from 1971 to 1978, including ads for Braniff Airlines and the Ice Capades.

[Volkswagen] 36 commercials

From the mid-1960s, including "Some cars keep changing and staying the same, but the Volkswagen stays the same and keeps changing."

UNITED STATES PATENT OFFICE
EMILE BERLINER, OF WASHINGTON, DISTRICT OF COLUMBIA.
TRADE-MARK FOR GRAMOPHONES.
STATEMENT

*Popular vocalists of the old and new styles, Bing Crosby and Frank Sinatra belie their trumped up rivalry at a Hollywood "Command Performance" rehearsal. Courtesy of the U.S. Department of Defense.*



AFRTS — LOS ANGELES
AM RADIO PROGRAM INDEX

▨ = Priority Programs

UNITS 27 - 8 thru 39 - 8

* = New Program

| PROGRAM LENGTH | FIVE-A-WEEK PROGRAMS | RATING | | | | | ONCE-A-WEEK PROGRAMS | RATING | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 5 Minutes | Don Drysdale On Sports (T) | 1 | 2 | 3 | 4 | 5 | The Unexplainable (D) | 1 | 2 | 3 | 4 | 5 |
| | Earth News (T) | 1 | 2 | 3 | 4 | 5 | The World of Antiques (T)* | 1 | 2 | 3 | 4 | 5 |
| 25 Minutes | Golden Days of Radio (V) | 1 | 2 | 3 | 4 | 5 | Master Control (R/MU) | 1 | 2 | 3 | 4 | 5 |
| | Jim Pewter (MU) | 1 | 2 | 3 | 4 | 5 | Salt Lake Tabernacle Choir (R/MU) | 1 | 2 | 3 | 4 | 5 |
| | [illegible] | 1 | 2 | 3 | 4 | 5 | | | | | | |
| | | | | | | | | | | | | |
| 30 Minutes | American Disco (MU) | 1 | 2 | 3 | 4 | 5 | Celebration (R/MU) | 1 | 2 | 3 | 4 | 5 |
| | | | | | | | East of Eden (R/MU) | 1 | 2 | 3 | 4 | 5 |
| | | | | | | | Love On The Rock (R/MU) | 1 | 2 | 3 | 4 | 5 |
| | | | | | | | Protestant Hour (R) | 1 | 2 | 3 | 4 | 5 |
| | | | | | | | The Whistler (D) | 1 | 2 | 3 | 4 | 5 |
| | | | | | | | | | | | | |
| 55 Minutes | Charlie Tuna (MU) | 1 | 2 | 3 | 4 | 5 | Amen Corner (R/MU) | 1 | 2 | 3 | 4 | 5 |
| | Dan Tracy (MU) | 1 | 2 | 3 | 4 | 5 | . . . And All That Jazz (MU)* | 1 | 2 | 3 | 4 | 5 |
| | Gene Price's Country [illegible] (MU) | 1 | 2 | 3 | 4 | 5 | Big Band Countdown (MU) | 1 | 2 | 3 | 4 | 5 |
| | [illegible] (MU) | 1 | 2 | 3 | 4 | 5 | Carmen Dragon (MU) | 1 | 2 | 3 | 4 | 5 |
| | Jerry Bishop (MU)* | 1 | 2 | 3 | 4 | 5 | Dick Clark's Music Machine (MU) | 1 | 2 | 3 | 4 | 5 |
| | [illegible] (MU) | 1 | 2 | 3 | 4 | 5 | King Biscuit Flower Hour (MU)* | 1 | 2 | 3 | 4 | 5 |
| | Gary Owens (MU)* | 1 | 2 | 3 | 4 | 5 | | | | | | |
| | Pete Smith (MU) | 1 | 2 | 3 | 4 | 5 | | | | | | |
| | Roger Carroll (MU) | 1 | 2 | 3 | 4 | 5 | | | | | | |
| | Roland Bynum (MU) | 1 | 2 | 3 | 4 | 5 | | | | | | |
| | Wolfman Jack (MU) | 1 | 2 | 3 | 4 | 5 | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| 110 Minutes | | | | | | | [illegible] (MU) | 1 | 2 | 3 | 4 | 5 |
| | | | | | | | [illegible] Countdown (MU)* | 1 | 2 | 3 | 4 | 5 |
| | | | | | | | Tom Campbell's Playback (MU) | 1 | 2 | 3 | 4 | 5 |
| 165 Minutes | | | | | | | American Country Countdown (MU) | 1 | 2 | 3 | 4 | 5 |
| | | | | | | | American Top 40 (MU) | 1 | 2 | 3 | 4 | 5 |

(PLUS SIX HOURS OF NEW RECORDS FOR RADIO LIBRARIES)

LEGEND:

| | |
|---|---|
| D | Drama |
| MU | Music |
| R | Religious |
| T | Talk |
| V | Variety |

AFRTS - LA FORM 60 (13 JAN 78)

ATTN: STATION MANAGERS/PROGRAM DIRECTORS: USE ONE COPY OF THIS INDEX TO PROVIDE QUARTERLY PROGRAM "FEEDBACK". LINE OUT PROGRAMS NOT AIRED. INDICATE IF PROGRAMS ARE USED ON FM ONLY. PLACE AN "X" IN THE BLOCK INDICATING POPULARITY, USING 5 AS MAXIMUM. SIGN, INDICATE OUTLET, FOLD, STAPLE AND MAIL NLT 18 AUGUST 1978.

Signature

Outlet

*A program index, such as this one from 1978, accompanies each weekly shipment of 12-inch pressings to AFRTS outlets located around the world. Outlet officials designate on the index which programs are most popular with listeners and return it for AFRTS programmers at Los Angeles headquarters. As with contemporary commercial radio, there are far fewer drama and variety programs than there were in the 1940s. Courtesy of the American Forces Radio and Television Service, Los Angeles.*

A "Mail Call" script conference between (from left to right) Henry Fonda, Don Ameche, George Burns, Gracie Allen, and Ginny Simms. Courtesy of True Boardman.

Boardman. Boardman had written "The Silver Theater" for radio, as well as numerous screenplays, and would later write many episodes of the successful television series "The Virginian." Assisting Boardman on early AFRS programs were writers Jerome Lawrence and Robert E. Lee, later authors of *Inherit the Wind.*

The first AFRS-originated program was "Mail Call," produced by Boardman and written by Lawrence and Lee. The first "Mail Call" program, made at CBS's Hollywood studios, was recorded "live" in August 1942. Originally written as "a letter from home," "Mail Call" evolved into a musical variety program featuring Hollywood personalities.[5] Later it changed again to become a program for Navy personnel. Other AFRS programs begun in the summer of 1942 were "Personal Album," a music program featuring a singer, usually female, and "Melody Roundup," a country-western music series whose first four programs featured Roy Rogers.

The bulk of World War II AFRS programs, however, were supplied by the four commercial radio networks. Troops preferred the programs heard at home, and AFRS had neither the time nor the staff to fill a broadcasting day with its own programs. For various reasons, commercial programs used by AFRS had all commercial references and advertising deleted—or, in AFRS

"Jubilee"
*EN 11* (356-431); *H 11* (60-355, most)
AFRS-produced variety program, originally with only black performers.

"Just Between Us"
*IE 101* (1-220, most)
Half-hour program of "vivid, colorful stories" told by Knox Manning.

"The Last Word"
IED 290 (1-7); IED 475 (8-11); IED 497 (40-51)
Dr. Bergen Evans hosting a twenty-five-minute panel discussion on the English language.

"Let's Pretend"
END 19 (101-386, c. half)
Twenty-five-minute rebroadcast of the CBS program of stories for children.

"The Lone Ranger"
*END 2* (136-236, most)
Rebroadcast of the adventure series; twenty-five minutes.

"Mail Call"
*EN 1* (365-381); *H 1* (1-364)
Begun as a half-hour program produced by AFRS with a "letter from home" format, later found overly sentimental. Evolved into a top-name variety series.

"Marine Band Concert"
END 308 (61-68, few); END 495 (13-60, most); END 583 (1-12)

"Mario Lanza"
END 226 (6-57)
Rebroadcast of the tenor's thirty-minute commercial program.

"Melody Roundup"
*END 4* (1855-2104); *H 4* (123-1834, most)
AFRS-produced fifteen-minute program of western and folk music, broadcast four times a week.

"Mitch Miller"
END 178 (108); END 396 (5-55); END 488 (1-4); END 495 (49-255, most)
Rebroadcast of the thirty-minute program of music and interviews with entertainment personalities.

"Music for Sunday"
H 6 (56-275, most)
Early AFRS-produced program of interdenominational music.

"Negro College Choir"
END 253 (4-11, most); END 359 (55-66, most)
Rebroadcast of the twenty-five-minute program featuring the choir from Lincoln University in Pennsylvania.

"One Night Stand"
*END 25* (1971-5005, few); *R 25* (1701-1961, few); SS (71, 85, 101-1663, most)
Half-hour rebroadcasts of music from remote pick-ups.

"Our Foreign Policy"
H 57 (3-97, most)
Rebroadcasts and AFRS-produced programs, begun in April of 1945.

"Peggy Lee"
END 54 (29-82, few); *END 252* (47-74)
Rebroadcast of the fifteen-minute program featuring music and guests.

"Personal Album"
*EN 3* (157-1638); *EN 6* (1643-1878); *H 3* (205-808, few; 1201-1574, most)
Early AFRS-produced fifteen-minute program featuring an orchestra and singer, who addresses the audience "personally."

"Polka Party"
END 28 (47); END 44 (21-53, most); END 135 (54-92, most); END 355 (20); END 361 (1-8, few); END 419 (117-256, most); *END 428* (20, 22, 34, 93)
Rebroadcast of the half-hour program hosted by Dick Sinclair.

"Presenting Claude Rains"
IED 172 (42-77); IED 482 (1-41, most); *IED 518* (78-81)
Fifteen-minute true stories told by the film actor.

"Remember"
*EN 54* (1086-1127); *H 54* (1-1091, most)
"Old songs, old facts, old gags." Fifteen-minute nostalgia program.

"Science Magazine of the Air"
H 42 (77-226, most); *IED 42* (227-287, few); *IED 306* (290-353, most)
Science programs draw from various commercial radio sources.

"The $64,000 Question"
END 23 (9); END 146 (10-109, most); *END 487* (1-8)
Half-hour rebroadcast of the famous quiz program hosted by Hal March.

"Sports Answer Man"
EN 11 (43-172); EN 104 (193-272, c. half); *EN 242* (298-489, most)

AFRTS-produced fifteen-minute program of sports trivia questions.

"Stan Kenton"
END 283 (5-11, most); *END 291* (15-45, most)

Thirty-minute rebroadcast of the program featuring saxaphonist Kenton and his orchestra.

"The Story Princess"
END 429 (1-11, most); END 536 (12-51, most); END 625 (52-113)

Twenty-five-minute program of children's stories from commercial radio.

"Suspense"
*END 76* (292-300; 319, 328); *END 88* (462-797, most); *R 76* (271-291, most); SS (109-110)

"Radio's oustanding theater of thrills." Twenty-five-minute rebroadcast of CBS's long-running series.

"Swingtime"
H 51 (18, 27); *H 52* (41-90, most)

"If you like pretty music: symphonies or opera; concertos or schmaltz. Well look out . . . 'cause it's Swingtime!!" Half-hour AFRS-produced jazz program.

"Terrea Lea"
END 46 (2-35, few); END 115 (77-96, most); END 277 (7-64, few); *END 486* (34)

Fifteen-minute-program of stories and folk songs.

"This Is the Story"
*IE 102* (1-13); *IE 107* (1-39); *H 41* (1-197, c. half)

"Stories of people, of nations, of the world; of yesterday and today and the meaning they hold for tomorrow." Commercial and AFRS-produced half-hour educational program.

"University Explorer"
IED 172 (136-231, most); IED 214 (1-86, most); *IED 364* (62-291, most)

Host Hale Sparks discusses science issues with prominent guests during this fifteen-minute program.

"What's My Line?"
*END 328* (22-388, most); IED 321 (7)

Rebroadcast of the quiz program, with "mystery" guests.

"Words With Music"
*EN 15* (2065-2333, most); *EN 45* (1601-2040, most); *H 45* (120-479, few)

AFRS-produced six-a-week, fifteen-minute program of poetry and music.

"Yank Swing Session"
*H 2* (39-123, c. half)

Early AFRS-produced program of popular music with a star M. C.

"Yarns for Yanks"
*H 13* (53-54)

Program adapted by AFRS writers Lawrence and Lee from their commercial "Nite Cap Yarns" program.

"You are There"
H 89 (1-39, most); *IED 89* (39-141)

Rebroadcast of the well-known CBS history reenactment series.

Picture, Broadcasting, and Recorded Sound Division conducted a project that included taping a portion of the live coverage of Pope John Paul II's American tour.

The programs in the collection are now accessed through a card file organized alphabetically by title. The file includes both television and theatrical release motion pictures, a total of over seventy-five thousand titles.

Perhaps two thousand commercials and a few public service announcements and political spots are included in the file. Unfortunately, access is limited because cataloging of advertising is minimal. A fifth are lumped together under the single title "Television Commercials," with no reference to the content of the individual spots. Current catalog access to the remainder is mainly by sponsor, but this varies, particularly with older material. Inestimable other commercials remain within programs, although many have been extirpated before the programs reach the Library. Commercials remaining within programs may be difficult to retrieve, but when found they heighten the program's authenticity and their own.

A project to publish a separate guide to the television programs in the collection is under way. Through this guide, programs would be accessible not only by title but also by forty-one "content descriptors"—genre and broad subject classifications adapted from the Library of Congress Machine-Readable Cataloging (MARC) terminology. This represents a considerable aid to researchers dealing with content and genre analyses.

As the opening of the American Television and Radio Archive grows near, television seems on the brink of permutation orchestrated by cable and satellite. The hegemony of the three commercial networks may wane before the onslaught of advancing technology and varying perspective. The Library's present television collection could soon represent a past, or at least passing, era in communications. Its future collection may come to reflect "a broad panoply of specialized and limited-interest programming."[19] The view through the electronic looking glass promises further adventures.

## NOTES

1. Lauren R. Sass, ed., *Television: The American Medium in Crisis* (New York: Facts on File, 1979), p. vii.

2. Ibid.

3. Wesley H. Wallace, "Growth, Organization, and Impact," in *Television Broadcasting: An Introduction,* ed. Robert L. Hilliard (New York: Hastings House, 1978), p. 13.

4. *American Television and Radio Archives Act, US Code,* vol. 1, sec. 170 (1976).

5. Ibid.

6. The ill-fated network owned by Allen B. DuMont received its first New York experimental license in 1940, its first commercial license in 1944, and folded in 1955. For additional information see Hal W. Bochin, "The Rise and Fall of the DuMont Network," in *American Broadcasting: A Source Book on the History of Radio and Television,* ed. Laurence W. Lichty and Malachi C. Topping (New York: Hastings House, 1975), pp. 190–93.

7. Dan Menaker, "Art and Artifice in Network News," *Harper's* (October 1972): 41, quoted in Horace Newcomb, *TV: The Most Popular Art* (New York: Anchor/Doubleday, 1974), p. 185.

8. Fred W. Friendly, *Due to Circumstances Beyond Our Control...* (New York: Random House, 1967), pp. 3–4.

9. Jack Gould, "TV Transforming U.S. Social Scene, Challenges Films," *New York Times,* June 24, 1951, Sec. 1, p. 1.

10. Richard Adler, "Introduction: A Context for Criticism," in *Television as a Cultural Force,* ed. Adler and Douglass Cater (New York: Praeger Publishers, 1976), p. 2.

11. Horace Newcomb, ed., *Television: The Critical View,* 2d ed. rev. (New York: Oxford University Press, 1979), pp. xv-xxii, 406.

12. Michael Novak, "Television Shapes the Soul," in *Television as a Social Force: New Approaches to TV Criticism,* ed. Richard Adler and Douglass Cater (New York: Praeger Publishers, 1975), p. 10.

13. Newcomb, *Television: The Critical View,* p. xviii.

14. Novak, "Television Shapes the Soul," pp. 10–14.

15. Douglass Cater, "Introduction: Television and Thinking People," in *Television as a Social Force,* ed. Adler and Cater, p. 2.

16. Dennis Joseph Rinzel, "A Description of the Ziv Television Series: 'I Led 3 Lives' " (Masters diss., University of Wisconsin, 1975), p. 3.

17. Ibid., p. 4.

18. Gilbert Seldes, "The Anatomy of Misery," *Saturday Review* 37.1 (January 2, 1954): 59.

19. Les Brown, "From the Air: Programs by Satellite and Cable," *New York Times,* February 17, 1980, Sec. E, p. 1.

## Selected Programs in the Television Collection

### Broadcast Journalism

"ABC Scope" 82 programs

Mainly "Scope" examinations of the Vietnam War from the 1966–67 season.

"Americans at Work" 49 programs, Syndicated

Presented by the AFL-CIO in 1959 as a promotional. Each fifteen-minute program describes a specific occupation.

"The Big Issue" 12 programs, DuMont

Two guests with opposing viewpoints field questions from a diverse panel including Lawrence E. Spivak, the series's producer. The Cold War and civil rights are major issues in this early public affairs series.

"CBS Reports" 150+ programs

Beginning with its October 27, 1959, premiere, "Biography of a Missile" (hosted by Edward R. Murrow), the collection includes the highly acclaimed "Harvest of Shame" (1960), "Biography of a Bookie Joint" (1961), "Ku Klux Klan: The Invisible Empire" (1965), "The Selling of the Pentagon" (1971), and others not so well remembered but of special current interest, such as "Iran, Brittle Ally" (1959). Originally produced by Fred W. Friendly.

"Close-Up" 15 programs, ABC

Early 1960s documentary series primarily produced by John Secondari. Includes Nicholas Webster's "Walk in My Shoes" (1961), a cinéma vérité look at black America.

"Crusade in Europe" 26 programs, ABC

This 1949 survey of World War II in the European theater was produced by the March of Time crew, long-time newsreel producers.

"Dinner with the President" 60 minutes

President Eisenhower receives Anti-Defamation League award at gala banquet telecast November 23, 1953 on three

*On location for Nicholas Webster's "Walk in My Shoes," a "Close-Up" documentary sponsored by Bell & Howell, telecast September 19, 1961. Courtesy of ABC News.*

# Some Recent Publications of the Library of Congress

*Annual Report of the Librarian of Congress for the Fiscal Year Ending September 30, 1979.* 1980. 196 p. (S/N 030-000-00118-4) $10. Free to libraries from the Central Services Division, Library of Congress, Washington, D.C. 20540.

*The Audience for Children's Books.* 1980. 42 p. The Center for the Book Viewpoint Series, No. 2. Free from the Center for the Book, Library of Congress, Washington, D. C. 20540. Remarks from a symposium at the Library of Congress, March 12-13, 1979, sponsored by the Center for the Book and the Children's Literature Center for the International Year of the Child. Speaking of "a thorny hedge of terminology," British author and critic Elaine Moss explains that children should not be restricted in their reading to books on some preassigned level of difficulty. Barbara Rollock, coordinator of children's services at the New York Public Library, says that children live comfortably with both the fruits of the printing press and the nonprint technology. They read when they see adults around them reading and when a variety of books are available to them. Comments by Cecily Truett, Ann Durell, and Ethel L. Heins and a summary of the symposium discussion follow the remarks of these two speakers.

*A Century of Photographs, 1846-1946, Selected from the Collections of the Library of Congress.* 1980. 211 p. (S/N 030-000-00117-6) $9. Compiled by Renata V. Shaw, Prints and Photographs Division. There are about nine million photographic prints, negatives, transparencies, and stereographs in the Prints and Photographs Division of the Library, depicting a tremendous range of subjects and historical periods and including early photographs by Roger Fenton and Mathew Brady, artistic photographs by Edward Steichen, and documentary photographs by the Red Cross and by cowboy photographer Erwin Evans Smith. Over the years descriptions and interpretive essays on the photograph collections have been published in the *Quarterly Journal,* and many of these are brought together here to serve as a guide and introduction to the division, for the amateur or professional picture searcher or for anyone interested in the history of photography. Illustrated with over two hundred photographs.

*Children's Book's, 1979.* 1980. 16 p. (S/N 030-001-00094-0) $1.25. The annual list of selected books published during the year for children from preschool through junior high school, compiled by Virginia Haviland, chief of the Children's Literature Center, Library of Congress, and a committee of specialists. Included are picture books, picture-story books, first reading books, stories for the middle group, fiction for older readers, folklore, poetry, rhymes, and songs, books of art and hobbies, biographies, history books, and books about nature and science and psychology and sociology.

*Facsimiles of Maps and Atlases: A List of Reproductions for Sale by Various Publishers and Distributors.* 1980. 35 p. (S/N 030-004-00019-1) $2.25. Compiled by Barbara R. Noe, Geography and Map Division. This is the fourth edition of the Library's popular *Facsimiles of Rare Historical Maps,* a list of reproductions that are available from commercial and noncommercial publishers (only one is available from the Library of Congress). These facsimiles are useful to map specialists, historians, and amateur collectors, and particularly to those who are unable to visit the Library of Congress and other map and atlas repositories to look at the originals. Index.

*Las Casas as a Bishop: A New Interpretation Based on His Holograph Petition in the Hans P. Kraus Collection of Hispanic American Manuscripts.* 1980. 88 p. (S/N 030-000-00116-8) $14. By Helen Rand Parish. Kraus manuscript 139 is a letter written by Fray Bartolomé de Las Casas to Emperor Charles V, who was also King Charles I of Spain, shortly before Las Casas left Spain to take up his duties as bishop of Chiapa in the New World. This edition contains marginal notations showing the response of the Council of the Indies. The sixteenth-century letter is reproduced in facsimile, with a transcription and an English translation of the Spanish text. In an introductory interpretation, Helen Rand Parish places the letter within the full context of the life and work of Las Casas. Also included are a classified bibliography and an index.

*The Openhearted Audience: Ten Authors Talk about Writing for Children.* 1980. viii, 198 p. (S/N 030-001-00089-3) $9. Annual lectures on children's books have been presented at the Library of Congress since 1963. Speakers have talked about creative writing, imagination, fantasy, the importance of fairy tales, myths, and legends, their own childhoods, and the qualities of the child audience they address. Represented here are P. L. Travers, the creator of Mary Poppins, Maurice Sendak, both an author and an illustrator, Joan Aiken, who presents a British view of American children's books and other favorite stories, Erik Christian Haugaard, translator of Hans Christian Andersen's tales, Ivan Francis Southall, an Australian author who speaks of extending "the intensity of a sensitive childhood into maturity," Ursula Le Guin, a science-fiction writer and author of books for young people, Virginia Hamilton, a writer who incorporates the black experience in both her fiction and her nonfiction, John Rowe Townsend, a British author and critic, Eleanor Cameron, who speaks on dreams that tap the unconscious and themes of possession and time fantasy, and Jill Paton Walsh, a British author who defends the importance of traditional narrative. With an introduction by Virginia Haviland, chief of the Children's Literature Center, Library of Congress.

*Polyester Film Encapsulation.* 1980. 23 p. (S/N 030-000-00114-1). $3.45. Compiled by the Preservation Office and illustrated by Margaret R. Brown. This pamphlet discusses the development and refinement of polyester film encapsulation by the Library of Congress and describes the character of the film and its use in conservation. There are illustated, step-by-step instructions for making the basic polyester envelope and variations of it. The appendix provides film specifications and sources of supply.

*The Portuguese Manuscripts Collection of the Library of Congress: A Guide.* 1980. 187 p. (S/N 030-003-0020-9) $8. Compiled by Christopher Lund and Mary Ellis Kahler and edited by Mary Ellis Kahler of the Library's Hispanic Division. Significant numbers of items from this collection are concerned with Sebastianism, the Portuguese author Luís de Camões, and the military orders of knighthood. The manuscripts span a period from 1438 to the early decades of this century and many are originals. The 537 entries are arranged alphabetically and are followed by a glossary that defines the Portuguese terms used in this guide, a bibliography, and an index.

*Special Collections in the Library of Congress: A Selective Guide.* 1980. 464 p. (S/N 030-001-00092-3). Compiled by Annette Melville. This guide is organized alphabetically by collection title into brief essays and describes 269 special collections that have been singled out by the Library's reference staff for their rarity or potential interest to scholars and summarizes information from many sources on these groups of materials, which include books and pamphlets, drawings, films, manuscripts, maps, music, musical instruments, prints, photographs, sound recordings, and videotapes. Also included are sixty-three illustrations, an index, and a breakdown of the collections by custodial division.

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Publications are for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, unless otherwise noted. There is a minimum charge of one dollar for each mail order. All orders must be prepaid. Checks for items ordered from the LC Information Office should be made payable to the Library of Congress. Remittance to the Superintendent of Documents may be made by coupon, money order, express order, check, or charge against a deposit account. When ordering, cite the stock number (S/N) if given.

*Ann Sheridan demonstrates to Jack Benny how a footsteps sound effect will be produced for their "Mail Call" program. Courtesy of True Boardman.*

terms, "denatured": Service personnel had complained about the ads heard on pre-AFRS broadcasts, references to material shortages were thought to give "aid and comfort to the enemy," advertising gave unfair advantages to those commercial programs used by AFRS, and agreements with the British Broadcasting Corporation, whose transmitters carried many AFRS programs, forbade any inclusion of commercial messages. Other elaborate editing techniques were used by AFRS in rebroadcasting domestic programs. Because many commercial network shows used the name of their sponsor in their title, complete openings and closings of programs were recorded by AFRS for inclusion with the distributed program. Thus, when used by AFRS, the "Camel Caravan" became "Comedy Caravan"; the "Maxwell House Program" became "Fanny Brice-Frank Morgan"; and the "Chase and Sandborn Hour" became "Charlie McCarthy." Episodes of many different commercial dramatic programs were formed into such AFRS series as "Front Line Theater," "Globe Theater," and "Mystery Theater." In place of commercials AFRS often inserted into its transcriptions musical selections or AFRS-produced "morale commercials" such as warnings about loose lips sinking ships or the danger

*Actors Gary Cooper and Walter Brennan rehearse for a "Mail Call" recording session. Courtesy of True Boardman.*

of mosquitos.

Along with the AFRS-originated programs and rebroadcasts, the Troop Information Production (TIP) section fulfilled the AFRS mission to "educate, inform, and entertain." Initially under the direction of educational radio specialist Erik Barnouw, the TIP section drew its programs from many sources.

An early TIP program, "Heard at Home," was assembled from several existing educational commercial network programs, including "The Chicago Roundtable," "America's Town Meeting of the Air," and "People's Platform." The TIP section also worked with the American radio networks to produce programs which could be aired domestically and over the AFRS network. Such a series was "They Call Me Joe," produced by the National Broadcasting Company with AFRS. Emphasizing the diversity of backgrounds of American soldiers, each program depicted a fictional "Joe," "José," or "Giuseppe" to promote goodwill among American forces.

The Troop Information Production section also produced its own programs, such as "This is the Story," about American history, "Know Your Enemy," and "Know Your Ally." Elaborate procedures were set up to review TIP scripts

# Through the Electronic Looking Glass

## Television Programs in the Library of Congress

### by Arlene Balkansky

Alice's looking glass reflected certain images of herself and her society but of course also transported her to an illusionary world of living chesspieces, Jabberwocky, and Tweedledum and Tweedledee. In the United States today, 96 percent of all households have a similar, but electronic, looking glass—a television set.[1] For an average of six and a half hours every day,[2] the looking glass glows in these households, nourishing an enormous commercial enterprise that yielded gross revenues of nearly $5.2 billion in 1976.[3]

Yet much of this revealing kinetic record has been lost. Many live telecasts have not been copied, many filmed telecasts have not been retained, and many videotapes have been erased. The sheer abundance of material, network and producer economy measures, and the casual attitude toward television's significance are primarily responsible for this loss.

But a growing number of researchers understand the importance of the television record and are critically analyzing the way this extremely pervasive phenomenon affects its audience. This analysis can only be conducted by studying the television programs themselves, and on October 19, 1976, a new copyright law was signed that included the creation of the American Television and Radio Archives. Its purpose is:

> To preserve a permanent record of television and radio programs which are the heritage of the people of the United States and to provide access to such programs to historians and scholars without encouraging or causing copyright infringement.[4]

Through deposits under the copyright law, gifts and exchanges, and limited off-air taping, the archive is mandated to include programs which are of "present or potential public or cultural interest, historical significance, [or] cognitive value, [and all other programs] worthy of preservation."[5] Scheduled to open in 1981, it is the immediate responsibility of the Library of Congress Motion Picture, Broadcasting, and

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Arlene Balkansky is a preliminary cataloger in the Motion Picture, Broadcasting, and Recorded Sound Division. She worked at the Wisconsin Center for Film and Theater Research and the American Film Institute and came to the Library in 1978 to catalog the television collection for publication.

Recorded Sound Division and will be housed in the Library's new James Madison Memorial Building.

This archive does not represent the Library's first effort to preserve television programs. A collection was inaugurated in 1948 with a few copyright deposits of filmed television programs—a modest outgrowth of the collection of theatrical release motion pictures. These copyright deposits and additional gift and exchange acquisitions evolved into one of the few large television collections in the United States—15,000 cataloged programs to date. While acquisition in the past was not as representative as it will be in the future, the current collection forms the backbone of the future archive and is an extremely valuable visual record and research tool.

The collection's most readily discernible value is that of historical documentation. Every president of the United States, beginning with Truman, and many other political figures are represented in the collection, whether through special event coverage, interview, or documentary. There are 122 reels of NBC's coverage of the Kennedy assassination, over eight hundred "Meet the Press" programs, donated principally by Lawrence E. Spivak, its long-time producer and panelist, and CBS News copyright deposits, including large collections of "CBS Reports," "60 Minutes," and daily national newscasts, as well as obscure DuMont[6] public affairs programs and early National Educational Television (NET) documentaries.

Television journalism often strives for the dramatic: "On each network, the ritual opening [of the daily news] establishes the theme of the entire program: excitement governed by order."[7] Dramatic confrontation was a notable aspect of "See It Now," as it is today on "60 Minutes." The Library's sampling of "See It Now" is small, dependent on copyrighted educational releases, but does include some of the series's celebrated moments. The earliest example, "The Case Against Milo Radulovich, A0589839," aired on October 30, 1953, marked "See It Now's" first examination of McCarthyism. Specifically, it probed official actions taken against a young Air Force Reserve meteorologist who had been dismissed as a security risk because of his father's and sister's allegedly radical leanings.

It was the beginning of a big episode in television history. As Edward R. Murrow confided to coproducer Fred W. Friendly just before the telecast, "I don't know whether we'll get away

*Edward R. Murrow on "See It Now," the CBS documentary series that premiered November 18, 1951. Courtesy of* Broadcasting Magazine.

networks. Chief Justice Earl Warren, five other Supreme Court Justices, five cabinet members, and J. Edgar Hoover are among the guests. Entertainment, staged by Rodgers and Hammerstein, features Lucille Ball, Rex Harrison, Helen Hayes, Ethel Merman, and Jackie Robinson. The President rejects his prepared text and ad-libs his award acceptance speech which unexpectedly strikes a blow for civil liberties.

"Election Night Coverage for 1960" 29 reels, CBS
The Kennedy-Nixon election reported by Walter Cronkite, Eric Sevareid, Howard K. Smith, and Robert Trout. Includes ads for Westinghouse with Betty Furness.

"Face the Nation" 6 programs, CBS
Guests are David Ben-Gurion of Israel, Habib Bourguiba of Tunisia, Roy Wilkins of the NAACP, and 1960 campaigners John F. Kennedy, Lyndon B. Johnson, and Henry Cabot Lodge.

"First Tuesday" 13 programs, NBC
Monthly news magazine produced by Eliot Frankel and hosted by Sander Vanocur. Articles range from a tour through the Sinai Peninsula to a report on Charles Atlas.

"Industry on Parade" 354 programs, Syndicated
1950s weekly pictorial promotion of business and industry, presented by the National Association of Manufacturers.

"The Kennedy-Nixon Debate" 1 program, CBS
The first and most famous of the four hour-long debates between the 1960 Presidential candidates. Kennedy's physical vigor and confidence trounced Nixon.

[The Library of Congress] 2 minutes, CBS
News clip from August 11, 1966, describing overcrowded conditions at the Library.

[March on Washington for Jobs and Freedom]
178 minutes, CBS
Martin Luther King, Jr.'s August 28, 1963, march. Coverage includes excerpts from speeches and interviews with national leaders.

"NBC Reports" 13 programs
Examines such topics as "Pensions: The Broken Promise" (1972), "The Ultimate Experimental Animal: Man" (1973), and "Danger! Radioactive Waste" (1977).

"NBC White Paper" 16 programs
Another overall title used by NBC for certain occasional documentaries, including "On Youth and Drugs: Trip to Nowhere" (1970) and "The Blue Collar Trap" (1972). Initially produced by Irving Gitlin.

"NET Journal" 4 programs, Public TV
In-depth documentary magazine covering such topics as rural and urban poverty and the black middle class.

"The Nixon-Khrushchev Debate" 18 minutes
The spontaneous debate at the American National Exhibition in Moscow on July 24, 1959, popularly known as the "Kitchen Debate." Recorded by Ampex.

"President Truman's Tour of the White
House, May 3, 1952" 45 minutes, CBS
Live tour of the newly renovated White House which includes a brief piano playing segment by President Truman.

"Project 20" 35 programs, NBC
Prestigious documentary series which includes "Three, Two, One—Zero" (1954), an examination of nuclear energy, and the acclaimed "The Real West" (1961), presenting a realistic contrast to the then-booming TV Westerns through an impressive array of vintage photographs.

"Searchlights on Delinquency" 13 programs, Public TV
One of several early mini-documentary series produced by a National Educational Television affiliate, in this case, WTTW, Chicago, in 1956.

"Small World" 31 programs, CBS
Novel attempt at pre-satellite intercontinental discussion, hosted by Edward R. Murrow and produced by Murrow and Fred W. Friendly. Guests participated in a live debate via overseas phone cables while each was filmed on-location, with results edited together. Guests included Brendan Behan, William O. Douglas, and Edward Teller.

[Telestar Coverage of July 10, 1962] 110 minutes, NBC
Unedited footage of the first live transatlantic transmission donated by NBC.

"The 20th Century" 200+ programs, CBS
Long-running series (1957–67) hosted by Walter Cronkite, focusing on modern world history.

"The 21st Century" 55 programs, CBS
Sequel (1967–69), also hosted by Cronkite, focusing on emerging and anticipated scientific advances.

"Wide, Wide World" 18 programs, NBC
A mid-1950s predecessor to videotaped news magazines hosted by Dave Garroway, who frequently provided voice-over narration for live transmissions that hop-scotched the United States.

## Drama

"Alfred Hitchcock Presents" 6 episodes, CBS, NBC
Weekly suspense anthology (dramas with varying casts), premiering in late 1955, which benefited from Hitchcock's sardonic humor and in a few instances from his direction. Four more episodes are from the later "Alfred Hitchcock Hour."

*Richard Chamberlain and Raymond Massey. From the MGM television release "Dr. Kildare." Copyright © 1960. Courtesy of MGM.*

"CBS Playhouse" 10 programs

A late (1967-70) attempt at a quality dramatic anthology. Includes Reginald Rose's "Dear Friends," with Anne Jackson and Eli Wallach, and Loring Mandel's "Do Not Go Gentle Into That Good Night," with Melvyn Douglas.

"Cheyenne" 1 episode, ABC

Dark horse of the rotating "Warner Brothers Presents." Starring Clint Walker, it profitably planted a major film corporation in the telefilm market and helped perpetrate a stampede of 1950s "adult" Westerns.

"Columbo" 29 episodes, NBC

Part of an early 1970s resurgence in crime-detective series which generally focused on appealing, humorous, idiosyncratic lead characters.

"Combat" 10 episodes, ABC

Telecast during the escalating Vietnam War but set during World War II where the view was less confusing and more steeped in heroics and patriotism.

"Death of a Salesman" 120 minutes, CBS

Lee J. Cobb and Mildred Dunnock repeat their Broadway roles, supported by George Segal, James Farrentino, and Gene Wilder. The May 1966 telecast received an Emmy for Outstanding Drama, as did Arthur Miller for television adaptation of his play and Alex Segal for direction.

"The Defenders" 10 episodes, CBS

Responding somewhat to early 1960s "vast wasteland" criticism, this respected series frequently touched significant and controversial legal and social issues.

MISSING PAGES ARE INDEX PAGES
WHICH HAVE BEEN PHOTOGRAPHED
AT THE BEGINNING OF THE VOLUME(S)